



Town of Lancaster

161

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

THOMAS E. FOWLER, JR
Town Attorney

Leza E. Braun
Legal Assistant

March 3, 2022

Mr. David Denk
N.Y.S. DEC

Mr. Matt Salah
Division of Sewerage Management

US Army Corps of Engineers
SEQRA Referral - Regulatory

Mr. Garrett Hacker, P.E.
Erie County DPW

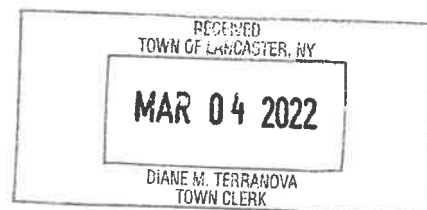
Erie County Water Authority

Ms. Mariely Ortiz, Review Planner
Erie County D.E.P.

Ms. Jennifer Delaney
Erie County Health Department

Mr. Ron Hayes
NYS DOT

Re: Coordinated Review
Motel & Mixed-Use Broadway & Bowen #2210
5827 Broadway
Town of Lancaster, County of Erie



All:

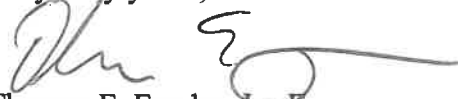
Please be advised that a private developer has presented a site plan for the proposed construction of a Motel & Mixed-Use facility with commercial space and coffee shop on first floor on a +/- 1.23-acre parcel of land located at 5827 Broadway (SBL No.116.31-1-3) in the Town of Lancaster; and which the Town has determined to be an "Unlisted Action" under SEQRA.

The Town Board of the Town of Lancaster advised the developer that an Application and Environmental Assessment Form (EAF) were to be submitted to the Town of Lancaster in order to commence a review of the proposed project under SEQRA.

The developer has submitted the application and EAF and the Town Board of the Town of Lancaster is now notifying all other agencies which may be involved in the approval of this project that within thirty (30) days of the mailing of the enclosed EAF, a lead agency must be designated by agreement among the agencies.

The anticipated impact of this project is primarily of local significance and the Town of Lancaster desires to act as lead agency in investigation and review of the proposed action.

Very truly yours,


Thomas E. Fowler, Jr., Esq.
Town Attorney

TEF:lb

Enc.

CC (letter only): Town Clerk
Building Inspector
Town Engineer

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 03/04/2022 1a. Delivered by: Personal Delivery with Proof of Receipt

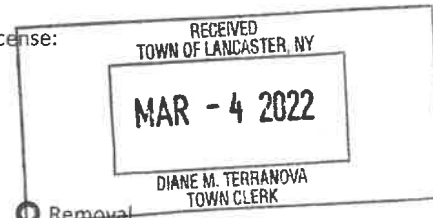
2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☒ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Renewal ☐ Alteration ☐ Removal
☐ Class Change ☐ Method of Operation ☐ Corporate Change



For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: Town of Lancaster

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: Richard Jimenez

6. Trade Name (if any): El Amigo Tacos LLC

7. Street Address of Establishment: 3580 Walden Ave

8. City, Town or Village: Lancaster, NY Zip Code: 14086

9. Business Telephone Number of applicant/ Licensee: 716-357-0000

10. Business E-mail of Applicant/Licensee: richard@elamigotacos.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Restaurant (full kitchen and full menu required)

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☐ Recorded Music ☐ Karaoke

14. Method of Operation: (check all that apply) ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
 (check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

16. List the floor(s) of the building that the establishment is located on: 1
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | Name | Serial Number |
|------|---------------|
| | |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: Randy Warden
23. Building Owner's Street Address: 556 Ellicott Rd
24. City, Town or Village: Cheektowaga State: NY Zip Code: 14227
25. Business Telephone Number of Building Owner: 716-984-3036

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

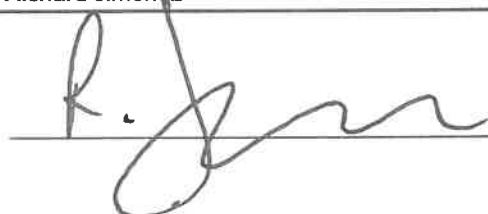
26. Representative/Attorney's Full Name:
27. Representative/Attorney's Street Address:
28. City, Town or Village: State: Zip Code:
29. Business Telephone Number of Representative/Attorney:
30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Richard Jimenez Title: Owner

Principal Signature:



03/04/2022

DIANE M. TERRANOVA, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

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COPY

March 4, 2022

Matthew Fischione
Code Enforcement Officer
21 Central Avenue
Lancaster, New York 14086

Re: SPECIAL USE PERMIT -
7-Eleven Inc.
4949 Transit Road

Matt:

Enclosed is the above referenced Special Use Permit Application for your review and determination pursuant to Chapter 400-78 of the Code of the Town of Lancaster.

Sincerely yours,

OFFICE OF THE TOWN CLERK



Diane M. Terranova
Town Clerk

DMT/dm

Encl.

cc: Town Board
T. Fowler, Town Attorney
E. Schiller, Town Engineer
W. Karn, Police Chief
Erie County Department of Environment and Planning
I. Barnhill, 7-Eleven Inc. (Letter Only)

File: Zoning Special Use.wpd

COPY

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K-212920964
Fee Received \$ 700.00
Date: 3/14/22

TOWN OF LANCASTER
APPLICATION FOR SPECIAL USE PERMIT

To: TOWN BOARD

The undersigned hereby make(s) application for a COMMERCIAL special use permit concerning certain premises in the Town as follows:

1. Name and address of applicant/owner:

7-Eleven Inc. 3200 Hockberry Rd. Irving, TX 75063

Location of premises:

4949 Transit Rd.

Depew, NY 14043

SBL # 115.03 - 1-49.11

2. Present zoning classification of premises:

Commercial

3. Present use of premises, Example: vacant land, private residence, etc.:

Operating an automobile fueling station + car wash facility

4. What are your plans for the premises?

Continuing services

SIGNATURE

Isaac Ben-Hill

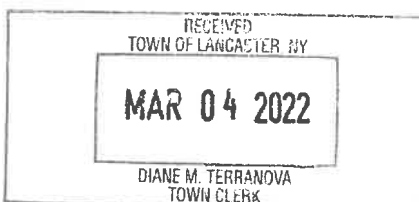
DATE 2-25-22

PHONE NUMBERS:

WORK 972-828-7536

HOME _____

MOBILE _____





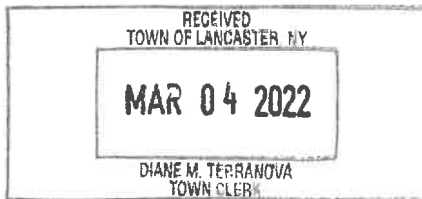
Isaac Barnhill
Licensing Coordinator
Direct Dial Number: 972-828-7536
Isaac.barnhill@7-11.com

To the Town Board of Lancaster:

Please note that we are currently pending the Designation of Representation Certification's signature from the property owner, and will be mailing it to you once received.

Best Regards,

Isaac Barnhill
Licensing Coordinator



3200 Hackberry Rd., Irving TX 75063
Mailing Address: PO Box 711, Dallas, TX 75221-0711
972-828-7011

APPLICATION FOR SPECIAL USE PERMIT
EXHIBIT "B"

In the form of a letter to the Town Board, answer the following questions:

1. What is the general purpose and intent of the project?
2. Will it negatively affect the value of the adjacent properties?
3. Will it create a hazard to health, safety or the general welfare?
4. Will it alter the essential character of the district?
5. Will it be detrimental to the public welfare?
6. Submit a drawing, to scale, of the referenced project and indicate the area to be utilized for this permit. (See sample enclosed)

If the applicant is **not** the property owner, the property owner must sign the following certification:

DESIGNATION OF REPRESENTATIVE

I, _____ as property owner hereby designate:

Name: _____

Mailing Address: _____

Telephone Number: _____ to act as my representative in any and all proceedings before the Town Board of the Town of Lancaster for the purposes of reviewing the attached variance application.

Owner Signature: _____

Date: _____

SECTION 809 - DISCLOSURE CERTIFICATE

CERTIFICATE REQUIRED TO BE EXECUTED BY EVERY APPLICANT FOR A VARIANCE, AMENDMENT, CHANGE OF ZONING, APPROVAL OF A PLAT, EXEMPTION FROM A PLAT OR OFFICIAL MAP, LICENSE OR PERMIT, PURSUANT TO THE PROVISIONS OF ANY ORDINANCE, LOCAL LAW, RULE OR REGULATION CONSTITUTING THE ZONING AND PLANNING REGULATIONS OF THE TOWN OF LANCASTER (SEE ATTACHED EXCERPT FROM GENERAL MUNICIPAL LAW)

CERTIFICATION A

1. The undersigned applicant, as defined in Section 809 of the General Municipal Law of the State of New York, for a (underline appropriate application) variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, hereby certifies that no State officer, or officer or employee of the County of Erie or Town of Lancaster, as defined in said section, has an interest in the person, partnership or association making application for said license/permit.

2. I understand that any person who knowingly and intentionally violates the provisions of Section 809 of the General Municipal Law of the State of New York shall be guilty of a misdemeanor.

X 

X by POA

CERTIFICATION B

1. The undersigned applicant, as defined in Section 809 of the General Municipal Law of the State of New York, for a (underline appropriate application) variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, hereby certifies that _____ is a State officer, or officer or employee of the County of Erie or Town of Lancaster, as defined in said section, who has an interest in the person, partnership or association making application for said _____ and that the extent of such interest is _____.

2. I understand that any person who knowingly and intentionally violates the provisions of Section 809 of the General Municipal Law of the State of New York shall be guilty of a misdemeanor.

X _____

X _____

Signature of Petitioner

Chaac Buhl

Date 2-25-22

INDIVIDUAL

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this ___ day of _____, 20__, before me personally appeared _____, the petitioner, to me known and known to me to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he executed the same for the purpose herein stated.

Notary Public or Deputy Town Clerk

CORPORATE

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this 26 day of February, 2022 before me personally appeared Rebecca Vijjeswararaj, to me known, who, being by me first duly sworn, did depose and say that she resides in Dallas that she is the POA of 7-11 the corporation described in and which executed the foregoing instrument; that she knows the Corporate Seal of said corporation; that the Corporate Seal affixed to said instrument is such Corporate Seal; that it was affixed by order and authority of the Board of Directors of said corporation; and that she signed his/her name thereto by like order and authority for the purposes herein stated.



[Signature]
Notary Public or Deputy Town Clerk

CORPORATE SEAL

PARTNERSHIP

STATE OF NEW YORK

SS:

COUNTY OF ERIE

On this ___ day of _____, 20__, before me personally appeared _____ the petitioner, to me known and known to me to be one of the firm of _____ described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm, for the purposes therein stated.

CORPORATE SEAL

Notary Public or Deputy Town Clerk



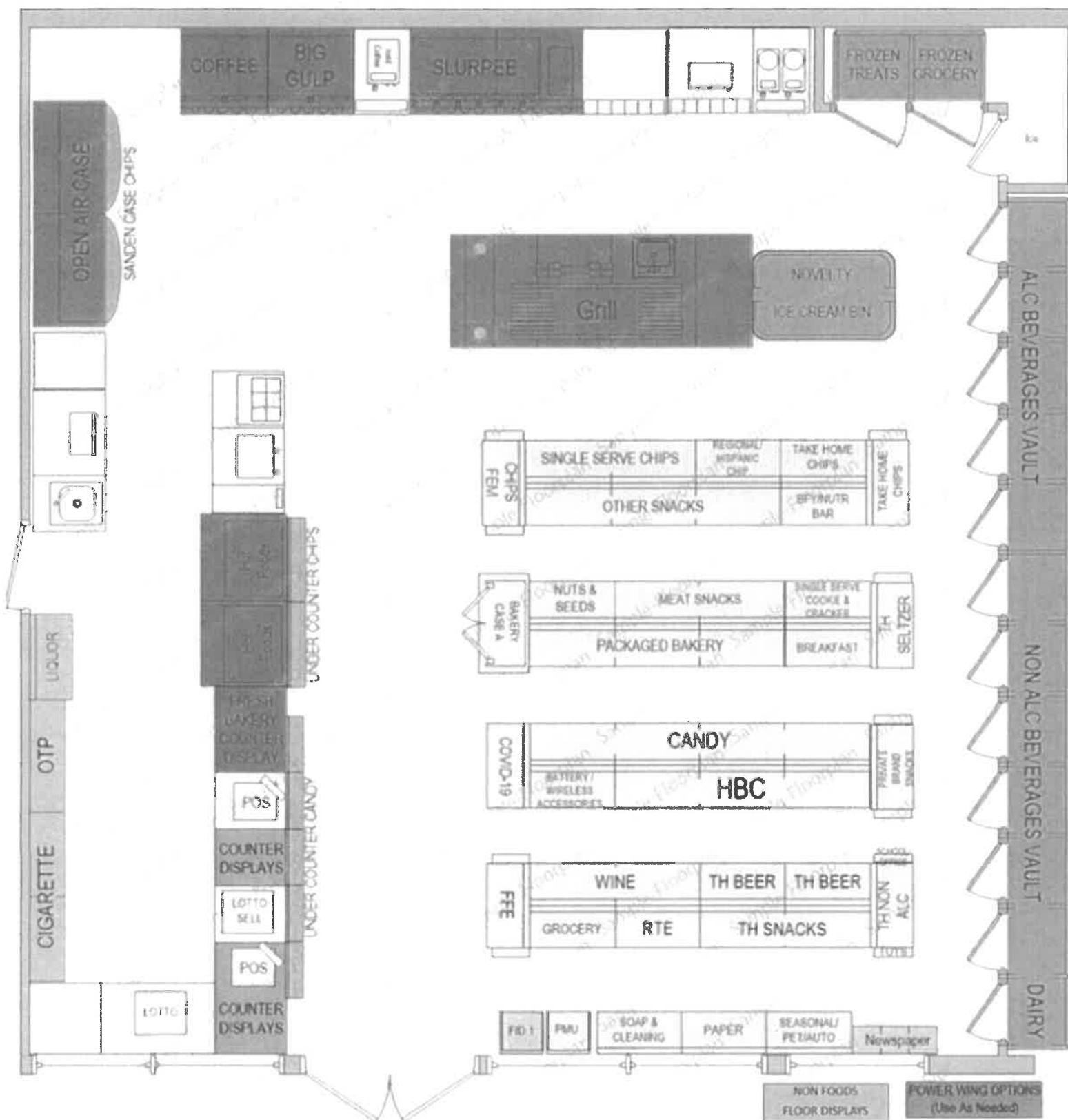
Isaac Barnhill
Licensing Coordinator
Direct Dial Number: 972-828-7536
Isaac.barnhill@7-11.com

To the Town Board of Lancaster:

This application for a special use permit is being submitted in order to replace a expired permit. Operation of the establishment is intended to continue as normal. This project will not negatively affect the value of adjacent properties, and will not create a hazard to health, safety, or the general welfare. It will also not alter the character of the district, or be detrimental to public welfare.

Thank you for your time and consideration,

Isaac Barnhill
Licensing Coordinator



**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, N.Y.
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: _____

Postmark/Delivery Date: _____

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, replay is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: <u>Town of Lancaster</u>										
2. Hearing Schedule:	<table border="0" style="width: 100%;"><tr><td>Date _____</td><td>Time _____</td><td>Location <u>21 Central Avenue, Lancaster, NY</u></td></tr></table>	Date _____	Time _____	Location <u>21 Central Avenue, Lancaster, NY</u>						
Date _____	Time _____	Location <u>21 Central Avenue, Lancaster, NY</u>								
3. Action is before:	<table border="0" style="width: 100%;"><tr><td><input checked="" type="checkbox"/> Legislative Body</td><td><input type="checkbox"/> Board of Appeals</td><td><input type="checkbox"/> Planning Board</td></tr></table>	<input checked="" type="checkbox"/> Legislative Body	<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Planning Board						
<input checked="" type="checkbox"/> Legislative Body	<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Planning Board								
4. Action consists of:	<table border="0" style="width: 100%;"><tr><td><input type="checkbox"/> New Ordinance</td><td><input type="checkbox"/> Rezone/Map Change</td><td><input type="checkbox"/> Ordinance Amendment</td></tr><tr><td><input type="checkbox"/> Site Plan</td><td><input type="checkbox"/> Variance</td><td><input type="checkbox"/> Special Use Permit</td></tr><tr><td></td><td></td><td><input type="checkbox"/> Other</td></tr></table>	<input type="checkbox"/> New Ordinance	<input type="checkbox"/> Rezone/Map Change	<input type="checkbox"/> Ordinance Amendment	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Variance	<input type="checkbox"/> Special Use Permit			<input type="checkbox"/> Other
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<input type="checkbox"/> Site Plan	<input type="checkbox"/> Variance	<input type="checkbox"/> Special Use Permit								
		<input type="checkbox"/> Other								
5. Location of Property:	<table border="0" style="width: 100%;"><tr><td><input type="checkbox"/> Entire Municipality</td><td><input checked="" type="checkbox"/> Specific as follows</td></tr><tr><td colspan="2"><u>4949 Transit Road</u></td></tr><tr><td colspan="2"><u>Lancaster, NY</u></td></tr></table>	<input type="checkbox"/> Entire Municipality	<input checked="" type="checkbox"/> Specific as follows	<u>4949 Transit Road</u>		<u>Lancaster, NY</u>				
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<u>4949 Transit Road</u>										
<u>Lancaster, NY</u>										
6. Referral required as Site is within 500' of:	<table border="0" style="width: 100%;"><tr><td><input type="checkbox"/> State or County Property/Institution</td><td><input type="checkbox"/> Municipal Boundary</td><td><input type="checkbox"/> Farm Operation located in an Agricultural District</td></tr><tr><td><input type="checkbox"/> Expressway</td><td><input type="checkbox"/> County Road</td><td><input type="checkbox"/> Proposed State or County Road, Property, Building/Institution, Drainageway</td></tr><tr><td></td><td><input checked="" type="checkbox"/> State Highway</td><td></td></tr></table>	<input type="checkbox"/> State or County Property/Institution	<input type="checkbox"/> Municipal Boundary	<input type="checkbox"/> Farm Operation located in an Agricultural District	<input type="checkbox"/> Expressway	<input type="checkbox"/> County Road	<input type="checkbox"/> Proposed State or County Road, Property, Building/Institution, Drainageway		<input checked="" type="checkbox"/> State Highway	
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<input type="checkbox"/> Expressway	<input type="checkbox"/> County Road	<input type="checkbox"/> Proposed State or County Road, Property, Building/Institution, Drainageway								
	<input checked="" type="checkbox"/> State Highway									
7. Proposed change or use (be specific):	<u>Operate an automobile fueling station and car wash facility</u>									
8. Other remarks (SBL#, etc.): <u>115.03-1-49.11</u>										
9. Submitted by: <u>Diane M. Terranova, Town Clerk</u>										
10. Return Address: <u>21 Central Ave., Lancaster, NY 14086 dterranova@lancasterny.gov</u>										

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on _____. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ The proposed action is not subject to review under the law.
2. ☐ Comment on proposed action is attached hereto.
3. ☐ The proposed action is subject to review; Recommendation on Proposed Action is attached hereto.
4. ☐ No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: _____ Date: _____

Diane Terranova

From: DoNotReply <sysadmin@www2.erie.gov>
Sent: Friday, March 4, 2022 12:39 PM
To: Diane Terranova
Subject: Confirmed: Integrated Review Submission

Your referral was submitted on Friday, March 4, 2022 - 12:39pm A response will be sent within 30 days to
Municipality: Lancaster (Town)

Contact Person: Diane M Terranova

Contact Email: Dterranova@lancasterny.gov



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Twin District Fire Company

4999 William Street • P.O. Box 406

Lancaster, New York 14086

716-681-3118

Fax: 716-685-3628

Diane Terranova
Town Clerk
Town of Lancaster
21 Central Ave
Lancaster, NY 14086

Dear Ms. Terranova,

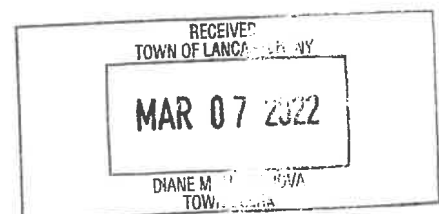
As of our monthly meeting held February 7th, 2022, please add the following member to the rolls of the Twin District Fire Company:

Brian Nosbisch
5 Quail Hollow
Lancaster, NY 14086

Thank you for your attention to this matter.

Sincerely,

Joshua Tomaszewski
Corresponding Secretary
Twin District Fire Company





165
Office of Building Inspections
275 Alexander Ave
Cheektowaga, New York 14211

Nicholas Cultrara
Town Planner
(716) 686-3472
NCultrara@tocny.org
www.tocny.org

Attention Property Owner:

Please be advised that the Zoning Board of Appeals will hold a Public Hearing on **3/16/2022** at 7:00 PM at the Town Hall Council Chambers, 3301 Broadway to consider the following application for a(n) **Area Variance** under the Zoning Law pursuant to Article IX of the Zoning Law of the Town of Cheektowaga.

Area Variance requested by **Joseph Young/4800 Transit Road, LLC**

For property located at **4800 Transit Road**

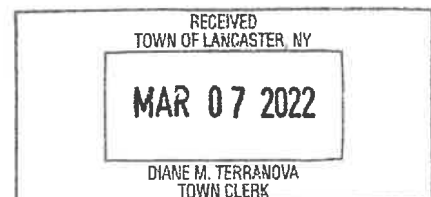
The applicants proposed fence along the interior side yard shall be 8 feet in height, whereas, zoning law states that no fence shall exceed 6 feet in height.

"ALL APPLICANTS FOR REZONING AND VARIANCES, OR A REPRESENTATIVE OF APPLICANT, MUST BE PRESENT AT ZONING BOARD HEARINGS, OR THE MATTER WILL NOT BE CONSIDERED."

IF YOU ARE A NEIGHBORING PARCEL, YOU ARE INVITED TO ATTEND THE MEETING, OR TO SUBMIT CORRESPONDENCE PRIOR TO THE MEETING AT TOWNCLERKWEBMAIL@TOCNY.ORG IF YOU HAVE COMMENTS OR CONCERNS RELATED TO THIS APPLICATION.

BY ORDER OF THE ZONING BOARD OF APPEAL

Robert Brandon, Chairman
Jane Wiercioch
Kenneth L. Young
Ralph Miranda
Justin Young





Office of Building Inspections
275 Alexander Ave
Cheektowaga, New York 14211

Nicholas Cultrara
Town Planner
(716) 686-3472
NCultrara@tocny.org
www.tocny.org

Attention Property Owner:

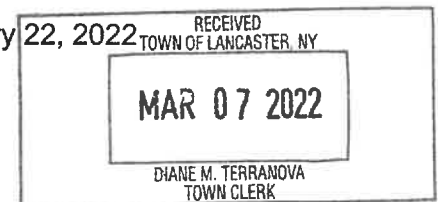
Please be advised that the Zoning Board of Appeals will hold a Public Hearing on **3/16/2022** at 7:00 PM at the Town Hall Council Chambers, 3301 Broadway to consider the following application for a(n) **Area Variance** under the Zoning Law pursuant to Article IX of the Zoning Law of the Town of Cheektowaga.

Area Variance requested by **Sean Hopkins, Esq., of Hopkins Sorgi & McCarthy PLLC/Young Development Inc. LLC**

For property located at **6386 Transit Road**

6386 Transit Road-

Zoning Board of Appeals Area Variances Request Submitted: February 22, 2022



A. PARCEL 2 (TOWNHOMES FOR SALE):

1. Article 11 Section 260-25 C (2) (a)

The applicants proposed side yard setback (east) of the access aisle as measured from Parcel 1 (Apartments) shall be 0 feet from the property line, whereas, zoning law requires 10 feet.

2. Article 11 Section 260-25 C (3)

The applicants proposed rear yard setback (south) of the 2-story townhomes, which has a mean height of 18.21 feet shall be 37.74 feet from the property line, whereas, zoning law requires 126.41 feet.

3. Article 11 Section 260-25 C (2) (b)

The applicants proposed side yard setback (east) of the 2-story townhomes, which has a mean height of 18.21 feet shall be 5 feet from the property line, whereas, zoning law requires 15 feet.

4. Article 11 Section 260-25 C (2) (b)

The applicants proposed side yard setback (west) of the 2-story townhomes, which has a mean height of 18.21 feet shall be 5 feet and 10 feet from the property line, whereas, zoning law requires 15 feet.



Office of Building Inspections
275 Alexander Ave
Cheektowaga, New York 14211

Nicholas Cultrara
Town Planner
(716) 686-3472
NCultrara@tocny.org
www.tocny.org

B. PARCEL 1 (APARTMENTS FOR LEASE:

5. Article 11 Section 260-25 C (3)

The applicants proposed rear yard setback (west) of the 4-story 36 unit buildings [Building Number 800 and 900] as measured from Parcel 2 (Townhomes) shall be 27.91 feet and 52.75 feet from the property line, whereas, zoning law requires 151.56 feet.

6. Article II Section 260-25 C (2) (a)

The applicants proposed side yard setback (south) of the access aisle as measured from Parcel 5 (Commercial) shall be 0 feet from the property line, whereas, zoning law requires 10 feet.

7. Article 11 Section 260-25 D (1)

The applicants proposed height of the 4-story 36 unit buildings shall be 50.52 feet tall, whereas, zoning law permits a maximum height of 35 feet tall.

8. Article 11 Section 260-25 D (2)

The applicants proposed height of the single-story clubhouse building [Building Number 100] shall be 21.67 feet tall, whereas, zoning law permits a maximum height of 12 feet tall.

6386 Transit Road- Zoning Board of Appeals Area Variances

Request Submitted: February 25, 2022

9. Article II Section 260-25 A (2) (a)

The applicants proposed number of multifamily dwelling units located on Parcel 1 (Apartments) shall be 354 units, whereas, zoning law permits only 12 dwelling units per gross acres, which would limit the total to 291 units.

REVIEWED BY: DATE:

"ALL APPLICANTS FOR REZONING AND VARIANCES, OR A REPRESENTATIVE OF APPLICANT, MUST BE PRESENT AT ZONING BOARD HEARINGS, OR THE MATTER WILL NOT BE CONSIDERED."



Office of Building Inspections

275 Alexander Ave
Cheektowaga, New York 14211

Nicholas Cultrara
Town Planner
(716) 686-3472
NCultrara@tocny.org
www.tocny.org

IF YOU ARE A NEIGHBORING PARCEL, YOU ARE INVITED TO ATTEND THE MEETING,
OR TO SUBMIT CORRESPONDENCE PRIOR TO THE MEETING AT
TOWNCLERKWEBMAIL@TOCNY.ORG IF YOU HAVE COMMENTS OR CONCERNS
RELATED TO THIS APPLICATION.

BY ORDER OF THE ZONING BOARD OF APPEAL

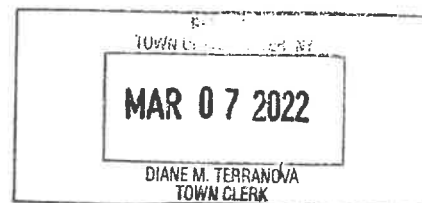
Robert Brandon, Chairman
Jane Wiercioch
Kenneth L. Young
Ralph Miranda
Justin Young



Mark Meyerhofer
Senior Director
Government Affairs

March 7, 2022

Re: Charter Communications – Upcoming Changes



Dear Municipal Official:

Spectrum Northeast, LLC ("Spectrum"), was notified on March 2, 2022, by NBC Universal Media, LLC on behalf of International Media Distribution, LLC ("IMD") that it would cease distribution of **CR1 Russia**. Accordingly, effective March 3, 2022 at 12:00am ET, the aforementioned network is no longer available on the channel lineup serving your community. Since this change is out of Spectrum's control, we are making customers aware of the cessation of programming via a channel slate message, ***"Programming is no longer being provided by supplier."***

Further, in light of the extraordinary circumstances in Ukraine, effective March 4, 2022 at 12:00am ET, Spectrum made the decision to drop Russian-controlled and –programmed networks **NTV America, RTR Planeta, Rossiya-24 and CTC** on the channel lineup serving your community. Spectrum is making its customers aware of these drops via a channel slate message, ***"Programming is no longer available on this network."***

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you have any questions about this change, please feel free to contact me at 716-686-4446 or via email at Mark.Meyerhofer@charter.com.

Sincerely,

Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications

The Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Respectfully, I submit my report for the month of February, 20 22

Summary:

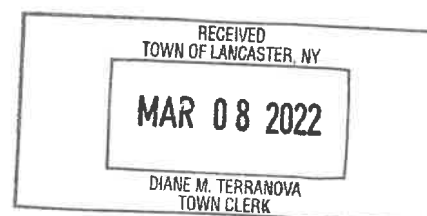
194 Complaints or Calls Received
181 Calls Responded to/Follow-ups
5 Compliance Notices
30 Final Notices
26 Appearance Tickets Issued
3 Bite Reports Filed
3 Dog Redeemed
1 Rescue Transfers
5 SPCA Transfers
— Dogs Euthanized
— Dogs Deceased
1385 Miles Patrolled with Van

Respectfully Yours,

Jean Karn

Jean Karn

Lancaster Dog Control

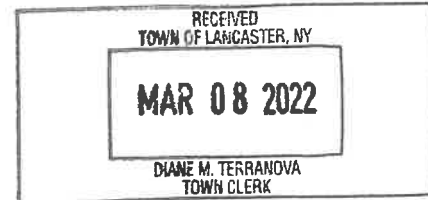


T.C. Comm.
T.A. Reso.
(P)

Lancaster Garden Club
c/o Milissa Jurewicz, President

Bowmansville, NY. 14026

Lancaster Town Hall
c/o Cyndi Maciejewski
21 Central Avenue
Lancaster, NY. 14086
(716) 683-9028



To: Lancaster Town Board Members

The Lancaster Garden Club is planning to hold a Plant and Garden Décor Sale from 10am-3pm on Saturday June 4, 2022. As you know we are a non-profit 501(C) club and rely on such fundraising efforts to conduct club activities and community works. We are requesting permission to hold this event in the parking lot of the Senior Center located at 100 Oxford Avenue Lancaster, NY. 14086. With the Senior Center being closed on Saturdays, there would be no schedule conflicts.

Last year when we held this event outside in the Senior Center parking lot, it was a great success enjoyed by so many people in our community. The plan is to utilize the outdoor shelter and two adjacent 10' by 10' pop-up style canopy tents. Plants will be housed on the ground as well as several 6 ft. folding tables provided by the club. Hopefully, the weather will not pose a problem, but our intention is to carry out our plans regardless. Club members will be responsible for set-up and break-down of the entire event and will ensure the location is restored to its former state before leaving.

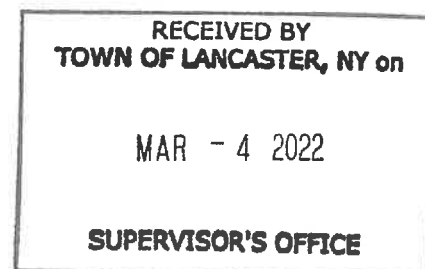
We will monitor whatever the NYS mandates and CDC recommendations regarding Covid are at the time of the event and assure you that we will fully comply with whatever measures are required. During the five hour time frame of the event, we are estimating that 80-100 people will visit the sale.

On behalf of the Lancaster Garden Club, please give due consideration to our request to hold the Plant and Garden Décor Sale in the parking lot of the Senior Center on Saturday, June 4th from 10am -3pm. As President of the club, I will serve as the primary contact person both before and throughout the event. I can be reached by email _____ com or by calling _____. I look forward to your response and proceeding with plans to hold another successful event.

Respectfully,

Milissa Jurewicz, President
Lancaster Garden Club

Submitted March 04, 2022



Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue

Lancaster, New York 14086

March 2, 2022

Planning Board Members:

Neil Connelly, Chairman
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
Stanley Jay Keysa III
Lawrence Korzeniewski

Town Board Members:

Ronald Ruffino, Sr., Supervisor
Mark Burkard
Adam Dickman
Robert Leary
David Mazur

Engineering Consultant:

Ed Schiller, Wm. Schutt & Associates

Town Attorney:

Thomas E. Fowler, Jr.

Town Highway Superintendent:

John Pilato

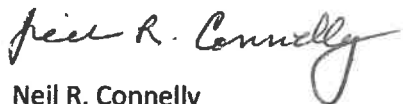
Building & Zoning Inspector:

Matthew Fischione

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held March 2, 2022. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

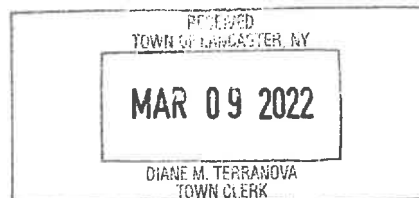
Sincerely yours,



Neil R. Connelly
Planning Board Chairman

NRC:cm

Encl.



A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at Town Hall, 21 Central Avenue, Lancaster, NY, on the 2nd day of March 2022 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman
 Rebecca Anderson, Member
 Anthony Gorski, Member
 Joseph Keefe, Member
 Stanley Jay Keysa III, Member
 Lawrence Korzeniewski, Member

EXCUSED: None

ABSENT: John Copas, Member

ALSO PRESENT: None

Town Board Members: Councilman Dave Mazur

Other Elected Officials: None

Town Staff: Thomas E. Fowler, Jr., Town Attorney
 Ed Schiller of Wm. Schutt & Assoc.
 Matt Fischione, Code Enforcement Officer

TOWN OF LANCASTER PLANNING BOARD COMMUNICATIONS 3.02.22

- 3.02.01 Notice of Public Hearing for the rezone petition at 338 Harris Hill Rd., to be held 3/07/22 at 7:15 P.M.
- 3.02.02 Notice of Public Hearing for 5051 Transit Rd. for a Special Use Permit, to be held 3/07/22 at 7:15 P.M.
- 3.02.03 Copy of resolution adopted by the Town Board on 2/14/22 approving site plan for Adams Farms / Nursery at 5799 Genesee St.
- 3.02.04 SEQR response dated 2/22/22 from the Erie County DPW regarding Cross Creek.
- 3.02.05 Email and response between Keith Anderson and Matt Fischione, Code Enforcement Officer, discussing Anderson's frustration with the process.
- 3.02.06 Information received by the Building Department that Belmont Housing will hold an informational meeting on March 1 at Al-E-Oops Restaurant between 6 and 7:30 P.M.
- 3.02.07 Notice from the Town Attorney's Office that the Public Hearing for Cross Creek Phase 9 can not be held until April 6, 2022.
- 3.02.08 Letter dated 2/28/22 from Ed Schiller, Town Engineer, with comments regarding 5807 Broadway.
- 3.02.09 Letter dated 2/28/22 from Ed Schiller, Town Engineer, with comments regarding 5860 Broadway.
- 3.02.10 Letter dated 2/28/22 from Ed Schiller, Town Engineer, with comments regarding 5827 Broadway.
- 3.02.11 Letter dated 2/03/22 from Matt Fischione, Code Enforcement Officer, with comments regarding the proposed Dollar General, 5807 Broadway.
- 3.02.12 Letter dated 2/22/22 from the Lancaster Police Department indicating no issues with project #1143.
- 3.02.13 Letter dated 2/25/22 from Matt Fischione, Code Enforcement Officer, with comments regarding the Site Plan Review for 4781 Transit Rd.
- 3.02.14 Letter dated 2/04/22 from Matt Fischione, Code Enforcement Officer, with comments regarding 5827 Broadway, at Bowen.
- 3.02.15 Letter dated 2/10/22 from Matt Fischione, Code Enforcement Officer, with comments regarding 5680 Broadway, Plumb Creek Apatments.

Meeting called to order by Chair Connelly at 7:00p.m.

Pledge of Allegiance led by Chair Connelly.

Minutes from the February 2, 2022 Planning Board meeting have still not been received by the members so those minutes have still not been finalized for acceptance.

Minutes-A motion was made by Anthony Gorski to approve the minutes from the February 16, 2022 Planning Board Meeting. Motion seconded by Stanley Keysa.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

Motion made by Chair Connelly to change the Public Hearing date for Cross Creek Phase 9 to April 6, 2022 at 7:05p.m. Motion seconded by Lawrence Korzeniewski.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

There is a training webinar available on March 6, 2022 at 11a.m. on AG Districts.

SITE PLAN REVIEW – PROJECT #2102, NEW RETAIL STORE, S.B.L. #116.31-3-57.211 LOCATED AT 5807 BROADWAY (US ROUTE 20). REDEVELOPMENT OF PROPERTY TO CONSTRUCT A 10,640 SQ FT. FREE-STANDING, SINGLE-TENANT RETAIL STORE. THE PROPOSAL INCLUDES PARKING, LANDSCAPING, STORMWATER MANAGEMENT FACILITIES, EXTERIOR LIGHTING AND CONNECTION TO PUBLIC UTILITIES.

Tara Mathias, Development Manager, presented a plan for a Dollar General store.

The site will include a privacy fence, will retain 5 of the trees and add further landscaping. There are 35 parking spaces which means a variance is required. Member Anderson questioned the design of the building and why it couldn't be more like the one on Southwestern. Ms. Mathias responded that the design is based on budgeting and the requirements of the municipality zoning code. Code Enforcement Officer Matt Fischione has recommended a 33-COM form be submitted to the state DOT to avoid future delays.

DETERMINATION

A motion was made by Chair Connelly to table the project to a future Planning Board meeting (hopefully April 20, 2022). Motion seconded by Joseph Keefe.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas- Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

SITE PLAN REVIEW – PROJECT #2210 BROADWAY AND BOWEN DEVELOPMENT, S.B.L. 116.31-1-3 LOCATED AT 5827 BROADWAY (US ROUTE 20). MOTEL AND MIXED USE FACILITY, COMMERCIAL SPACE AND COFFEE SHOP ON FIRST FLOOR.

Lucas James noted the site is the old Desiderio's location. The proposed building would have two hotel units on the first floor and 6 units on the second floor. The motel would be "high end" rental units with customers perhaps going through VRBO. The dumpster would be screened. The coffee shop "boutique" would have a drive-thru. A stormwater prevention plan will be required as the property has been demolished and reuse triggers this permit. Two setback variances will be required for relief of side yard requirements. A 33-COM form is also recommended for this project.

DETERMINATION

A motion was made by Chair Connelly to table this project until a future meeting. Motion seconded by Joseph Keefe.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas- Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

SITE PLAN REVIEW – PROJECT #1143, PLUM CREEK APARTMENTS, S.B.L. #116.05-1-3 LOCATED AT 5680 BROADWAY. CONSTRUCTION OF A NEW 106'X61.33' MULTI-DWELLING STRUCTURE CONTAINING 4 APARTMENT UNITS AND A FULL BASEMENT FOR PARKING OF 8 VEHICLES.

Jasen Havens and Frank Trybuskiewicz presented plans of the apartments. Member Anderson noted that if any part of the building is in the flood plain, then the entire building is considered to be in the flood plain. The FEMA map is the guideline. The cost of insuring the building would be a determining factor. Town Engineer Schiller has not received an engineering report.

DETERMINATION

A motion was made by Chair Connelly to table the project to a future meeting. Motion seconded by Anthony Gorski.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas- Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

SITE PLAN REVIEW – PROJECT #3001, SOIL RECYCLING FACILITY, S.B.L. #95.00-1-1, LOCATED AT 6125 GENESEE STREET. A NYSDEC REGISTERED RESTRICTED OR LIMITED USE FILL (AS DEFINED IN NYCRR PART 360.13) SOIL RECYCLING FACILITY, WHICH WILL ACCEPT EXCESS CONSTRUCTION SOILS AND RE-PURPOSE THEM FOR USE AS FILL MATERIAL AT OFF-SITE LOCATIONS.

John Battaglia @ EnSol, Inc. summarized the plan for the facility. A bond will be posted for cleaning up the site upon closure. A Special Use Permit will be required. The Board noted that the location is good as it uses a small portion of the entire parcel and nobody is near.

DETERMINATION

A motion was made by Rebecca Anderson to approve the site plan. Motion seconded by Lawrence Korzeniewski.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas- Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

SITE PLAN REVIEW- PROJECT #8944, 4781 Transit Rd. Mixed-Use Developemnt, S.B.L. #126.01-1-8.2, REDEVELOP 8,000 SQ FT OF RETAIL, 14 APARTMENT UNITS AND A SEPARATE BUILDING WITH A BANK AND DRIVE THRU. RETAIL/APARTMENT TO BE 3 STORIES AND 45' HIGH.

The site has been previously recommended for a rezone by the Planning Board and received a negative declaration upon SEQR. The Town Board does not wish to act on the rezone until the Planning Board has also recommended approval of the site plan. Ari Goldberg and Anthony Pandolfe presented the plan. A height variance would be needed. There is currently a reciprocal access agreement. Parking spaces from the north side would be used for snow storage. Mr Pandolfe stated that snow could be hauled out if the amount of storage is not adequate. A setback variance will be required. Town Engineer Schiller stated that the NYS DOT will support the town in closing the north driveway, which

ostensibly will improve Transit Road access management. The developer contends that they would agree to have the north driveway right out only, but its closing would cause them to lose the bank customer that they have already procured, and it creates an unsafe condition as the closest access point would be 235' from the main entrance of the residential units. Furthermore, they disagree that the Access Management Overlay District in Town Code 400-27 requires removal of an existing driveway. Code Enforcement Officer Matt Fischione disagrees with that assessment. The Planning Board mentioned that elimination of the north driveway was a factor in approving both the SEQR and the rezone. Knauf Shaw, representing Transit Rd. Acquisitions, contends that the project will obscure the view of the shopping center. They would like the building to be rotated 90 degrees, but the developer says this is not a viable option. Transit Rd. Acquisitions also believes that the project is not consistent with the Comprehensive Plan. There appears to have been no progress or compromise in negotiations between these two parties. Since the latest documents were received late this afternoon (3/02/22), further study of the project will be necessary.

DETERMINATION

A motion was made by Chair Connelly to table the project. Motion seconded by Lawrence Korzeniewski. Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Absent

Joseph Keefe-Yes

Anthony Gorski-Yes

Motion carried.

AMENDED SITE PLAN REVIEW – PROJECT #2135, ANDERSON'S FROZEN CUSTARD, S.B.L. #126.05-1-1.2, LOCATED AT 4855 TRANSIT ROAD. INTERIOR RENOVATION OF THE EXISTING RESTAURANT, ADDITION OF A DRIVE-THRU LANE, MODIFICATION OF EXISTING OUTDOOR PATIO SPACE WHICH WILL BE PARTIALLY COVERED AND THE MODIFICATION OF THEIR EXISTING PARKING LOT IN ORDER TO ACCOMMODATE ALL WORK PROPOSED. THIS WILL ALLOW THE EXISTING RESTAURANT TO EXPAND THEIR EXISTING BUSINESS OPERATION AND BETTER SERVE THEIR CUSTOMERS IN THE COMMUNITY.

Dave Sutton of Sutton Architect presented the plan that would not change the existing footprint and there would be no increase in impervious surface. There would be an updated look to relocate the outdoor seating area. Landscaping will be replaced and adjusted. There would be no changes to existing drainage. There is a shared agreement with adjacent retailers with access to Transit Rd. There is a concern from residents in the area that this project could exacerbate an already difficult situation in terms of turning out of Michael Anthony Lane onto Transit Road, especially a left turn. Code Enforcement Officer Fischione said that although this is definitely not a minor project, it would have no impact on Transit Rd. He also stated that the project has stalled due to the applicant not submitting the necessary documentation in a timely fashion and that he has no authority to expedite the process in conflict with the code, nor does the Planning Board. There still needs to be a SEQR which could be held on March 16, 2022, provided other outstanding issues have been resolved.

DETERMINATION

A motion was made by Chair Connelly to table the project to a future meeting. Motion seconded by Stanley Keysa.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

John Copas-Absent

Anthony Gorski-Yes

Motion carried.

Lawrence Korzeniewski-Yes

Joseph Keefe-Yes

Motion made by Chair Connelly at 9:14p.m. and seconded by Joseph Keefe to adjourn the meeting.

Motion carried.

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: March 2, 2022

RE: Soil Recycling Facility

PROJECT #: 3001

LOCATION: 6125 Genesee Street

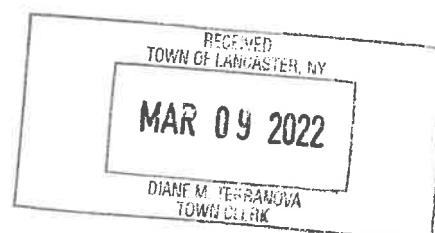
TYPE: Site Plan Review

RECOMMENDATION: APPROVE

Roll call vote:	
Chair Connelly-Yes	Stanley Jay Keysa III-Yes
Rebecca Anderson-Yes	Lawrence Korzeniewski-Yes
Anthony Gorski-Yes	Joseph Keefe-Yes
John Copas-Absent	

CONDITION: N/A

CONCERNS: N/A





DIANE M. TERRANOVA
Town Clerk

Town of Lancaster

21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086

WWW.LANCASTERNY.GOV

T.C. Comm.
MD

CLERK'S OFFICE
PHONE: (716) 683-9028
FAX: (716) 683-2094

TAX OFFICE
PHONE: (716) 683-1328
FAX: (716) 681-7059

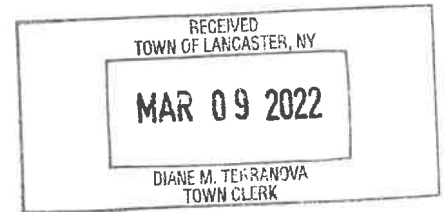
To: Ronald Ruffino, Supervisor

From: Diane M. Terranova, Town Clerk

DMF

Re: Extension of Warrant to Collect 2022 County/Town Tax

Date: March 8, 2022

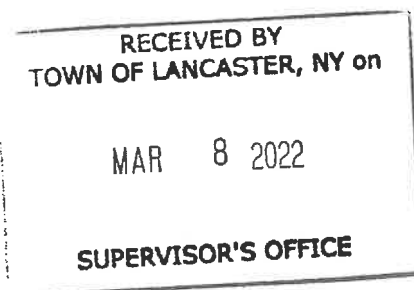


I hereby request that you send a letter to the Erie County Commissioner of Finance asking that an extension be granted to the Warrant to collect unpaid 2022 County/Town taxes until June 30, 2022. Section 6-14.0 of the Erie County Tax Act, as amended, provides for an extension upon the request of the Supervisor made to the Commissioner of Finance.

By extending the warrant we will give the residents of the Town of Lancaster who wish to make payment in person the opportunity to make these payments locally rather than requiring them to make a trip to County Hall.

Please contact me if you have any questions.

Copy: Tax Office





Town of Lancaster

OFFICE OF THE SUPERVISOR

21 Central Avenue
Lancaster, New York 14086
(716) 683-1610
Fax: (716) 683-0512

RONALD RUFFINO, SR.
Supervisor

March 8, 2022

Scott A. Bylewski
Director of Real Property Tax Services
County of Erie
95 Franklin Street, 1st Floor
Buffalo, New York 14202

Re: Extension of Warrant to Collect 2022 County/Town Taxes/Town of Lancaster

Dear Mr. Bylewski:

According to Article VI, Section 6-14.0 of the Laws of 1942 as amended, I Ronald Ruffino, Sr., Supervisor of the Town of Lancaster, hereby request an extension of time to collect the taxes remaining unpaid to June 30, 2022. The Town Clerk of the Town of Lancaster shall fully account to the Commissioner of Finance on or before the fifth day of each month during each extension and shall make a full and complete payment of all taxes collected to the Commissioner of Finance upon expiration of the Warrant to collect.

Sincerely yours,
OFFICE OF THE SUPERVISOR

Ronald Ruffino, Sr., Supervisor

cc: Diane Terranova



ATTORNEYS AT LAW

T.C. Comm.
(P)

173

5900 Main Street
Williamsville, NY 14221-5714
t (716) 633-1444
f (716) 633-1446

Not for service of papers

March 3, 2022

Lancaster Town Board
Attn: Supervisor Ronald Ruffino, Sr.
and Honorable Town Board Members
21 Central Avenue
Lancaster, New York 14086

Re: Project & Project Number: Theo's Place Multi-Family Development – 1810
Project Sponsor: G&V Property Holdings LLC
Location: 5153 Transit Road, Lancaster, New York 14086
Project Approval Extension Request

Dear Supervisor Ruffino and Honorable Town Board Members:

Pursuant to notification received from Leza Braun at the Town of Lancaster Attorney's Office and in accordance with Lancaster Town Code, Chapter 400-75 D (9), we are submitting this second formal request to receive an extension for the previously granted project approval. An initial extension request was previously submitted on October 18, 2021.

The original project approval was received from the Town Board in August of 2019. Shortly thereafter, the COVID-19 Pandemic ensued. As a result of the Pandemic and its effects, unforeseen and unavoidable delays have occurred impacting all aspects of the project. Moreover, there was a minor issue with filing a valid Stormwater Agreement as required by the Town Attorney's Office which has since been remedied. A copy of the filed agreement is included herein for reference.

At this point, G&V Property Holdings LLC is in a position to move forward with the project but is unable to do so because the August 2019 approval has since expired. We respectfully request the Town Board grant an extension to the original project approval so the required permits can be issued, and the project can proceed.

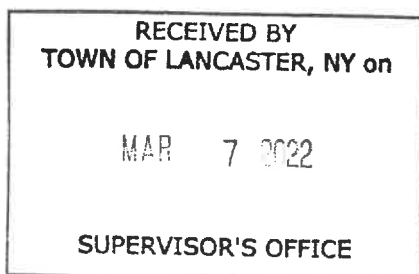
Kindly advise if anything additional is required to be placed on the Town Board Agenda and do not hesitate to contact me with any questions or concerns. Your consideration is greatly appreciated, and I look forward to a prompt resolution to this issue.

Very truly yours,

SCHOP, POWELL & ASSOCIATES

Pierce V. Young

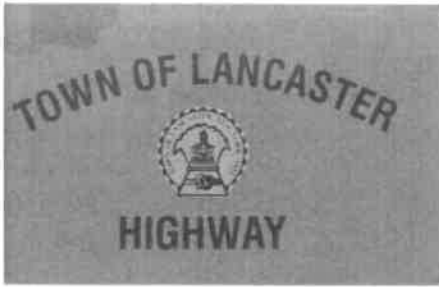
Pierce V. Young, Esq.
Ext. 310
pyoung@spa-legal.com



T.C. Comm.
T.A. Reso.

(P)

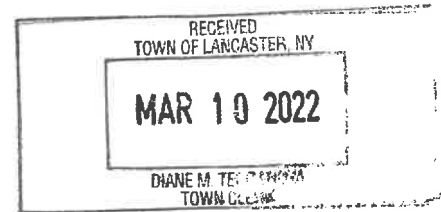
174



**TOWN OF LANCASTER
HIGHWAY DEPARTMENT
525 PAVEMENT ROAD
LANCASTER, NY 14086**

**John Pilato
Highway Superintendent
Tel (716)683-3426
Fax (716)685-0271**

COMMUNICATIONS



March 7, 2022

Honorable Town Board
21 Central Avenue
Lancaster, NY 14086

Re: New and Unused 2023 Western Starr 4700SB Truck Cab & Chassis with Viking Cives Equipment

Dear Honorable Town Board Members:

I would appreciate your support in sponsoring a resolution to purchase New and Unused 2023 Western Starr 4700SB Truck Cab & Chassis with Viking Cives Equipment. This New and Unused 2023 Western Starr 4700SB Truck Cab & Chassis with Viking Cives Equipment will be purchased off the Cattaraugus County Bid DPW #72. The Cattaraugus County vendor is Fleet Maintenance Inc., located at 67 Ransier Drive, West Seneca, NY 14224. The price of this New and Unused 2023 Western Starr 4700SB Truck Cab & Chassis with Viking Cives Equipment is \$283,598. The New and Unused 2023 Western Starr 4700SB Truck Cab & Chassis with Viking Cives Equipment will be paid out of the Maintenance Vehicles and Equipment Bond dated March 15, 2021.

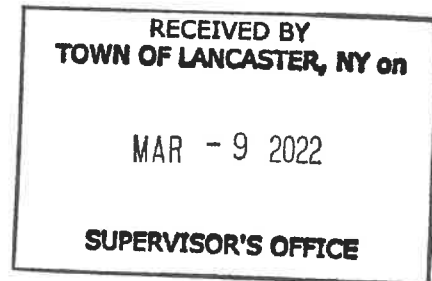
Should you require any further assistance, please do not hesitate to call me.

Respectfully yours,

John Pilato
Highway Superintendent
Town of Highway Lancaster

JP/kak

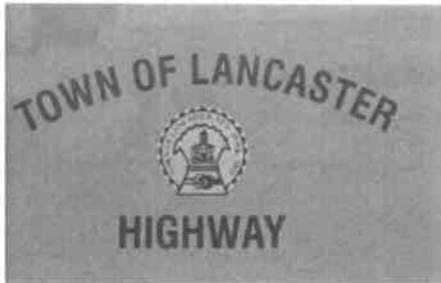
Cc: Pam Cuvillo, Director of Administration
Ron Ruffino, Town Supervisor
Thomas Fowler Jr., Town Attorney
Diane Terranova, Town Clerk



T.C. Comm.

T.A. Reso.

175



(Signature)

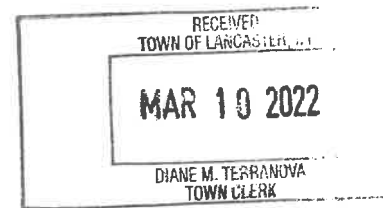
**TOWN OF LANCASTER
HIGHWAY DEPARTMENT
525 PAVEMENT ROAD
LANCASTER, NY 14086**

**John Pilato
Highway Superintendent
Tel (716)683-3426
Fax (716)685-0271**

COMMUNICATIONS

March 7, 2022

Honorable Town Board
21 Central Avenue
Lancaster, NY 14086



Re: New and Unused SAS 200 Soil and Asphalt Spreader with Kit Side Wing Option and Kit Control Panel

Dear Honorable Town Board Members:

I would appreciate your support in sponsoring a resolution to purchase one new and unused SAS 200 Soil and Asphalt Spreader with kit side wing option, and kit control panel. This SAS 200 Soil and Asphalt Spreader with kit side wing option and kit control panel will be purchased as per NYSC #PC69396, Award PGB #22792 Group 40625, Heavy Equipment. The New York State vendor is Clark Equipment Company d/b/a Bobcat Company 250 E. Beaton Drive, PO Box 6000, West Fargo, ND 58078. The Dealer is Bobcat of Buffalo, Lockport, NY, 6830 South Transit Road, Lockport, NY 14094-6329. The price of this SAS 200 Soil and Asphalt Spreader with kit side wing option and kit control panel is \$11,882.48. This SAS 200 Soil and Asphalt Spreader with kit side wing option and kit control panel will be paid for out of the Maintenance Equipment bond authorized March 15, 2021, for Highway Equipment.

Should you have any questions, please do not hesitate to contact me at your earliest convenience.

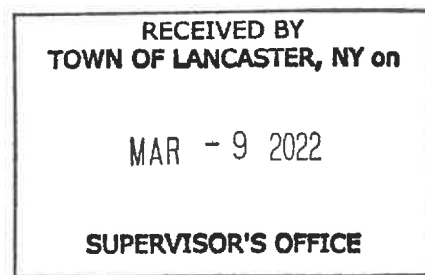
Respectfully yours,

(Signature of John Pilato)

John Pilato
Highway Superintendent
Town of Highway Lancaster

DA/mlm

Cc: Pam CuvIELlo, Director of Administration
Ron Ruffino, Town Supervisor
Thomas Fowler Jr., Town Attorney
Diane Terranova, Town Clerk



Civil Engineering
Environmental Engineering
Municipal Engineering
Land Surveying



Project Management
Construction Support Services
Landscape Architecture
SWPPP Services

T.C. Comm.
T.A. Reso.

March 8, 2022

Honorable Town Board
Town of Lancaster
Lancaster, NY 14086

Re: 2022 Pre-Qualified A/E Firm List for Supplemental Services

Dear Board Members:

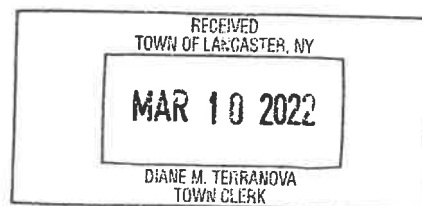
The current list of Pre-Qualified Architectural and Engineering firms for Supplemental Services expires March 31, 2022. A Request for Qualifications (RFQ) was sent to area firms for their response. Attached is a list of firms who received the RFQ. Responses were received from 12 firms.

After review of the submitted qualifications, the attached list is recommended for the period April 1, 2022 to March 31, 2025. A Resolution is requested and Draft is attached.

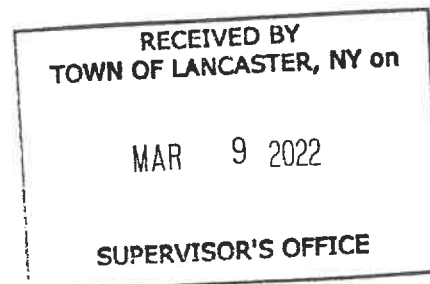
If you have any questions or comments, please call.

Very truly yours,

Edward M. Schiller, P.E.
Town Engineer



Cc: D. Terranova - Town Clerk
T. Fowler, Jr. - Town Attorney





Town of Lancaster

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

THOMAS E. FOWLER, JR
Town Attorney

Leza E. Braun
Legal Assistant

March 10, 2022

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

RE: Dollar General #2102
5807 Broadway
Town of Lancaster, County of Erie

Honorable Town Board and Planning Board Members:

Enclosed please find a SEQR response dated March 8, 2022, from the New York State Department of Environmental Conservation on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

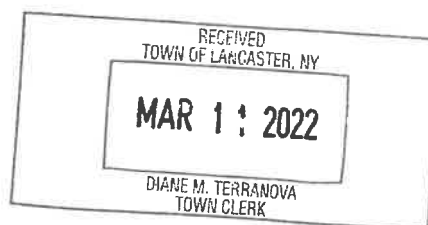
Very truly yours,

Thomas E. Fowler, Jr., Esq.
Town Attorney

TEL:leb

Enc.

CC (w/enc): Town Clerk
Building Inspector
Town Engineer



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
270 Michigan Avenue, Buffalo, NY 14203-2915
P: (716) 851-7165 | F: (716) 851-7168
www.dec.ny.gov

March 8, 2022

Thomas E. Fowler Jr., Esq.
Town of Lancaster
21 Central Ave
Lancaster, New York 14086

Dear Thomas Fowler Jr.:

**SEQR Lead Agency Coordination
Dollar General Retail Store #2102
5807 Broadway
Town of Lancaster, Erie County**

This is to acknowledge receipt of your February 25, 2022 notice which requested State Environmental Quality Review Act (SEQR) Lead Agency status for the above-noted project. The Department concurs that the Town of Lancaster should act as SEQR Lead Agency, since the environmental impacts of the proposal are primarily of local significance. However, please be advised of the following:

If any project activities will involve land disturbance of 1 acre or more, the project sponsor, owner or operator is required to obtain a State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001). This General Permit requires the project sponsor, owner or operator to control stormwater runoff according to a Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared prior to filing a Notice of Intent (NOI) and prior to commencement of the project. More information on General Permit GP-0-20-001, as well as the NOI form, is available on the Department's website at www.dec.ny.gov/chemical/43133.html. Information on permitting requirements and preparation of a necessary Stormwater Pollution Prevention Plan (SWPPP) is available on the Department's website at www.dec.ny.gov/chemical/8468.html.

The Town of Lancaster is designated as an MS4 community. The project sponsor, owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 shall have their SWPPP reviewed and accepted by the MS4 community. The "MS4 SWPPP Acceptance" form must be signed by the principle executive officer or ranking



Department of
Environmental
Conservation

Thomas Fowler Jr.
March 8, 2022
Page 2

elected official from the MS4 community, or by a duly authorized representative of that person, and submitted along with the NOI, to the Department at NOTICE OF INTENT, NYSDEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, New York 12233-3505, telephone: 518/402-8111 to receive Department approval before construction commences.

If you have any other questions, please feel free to contact Lisa Connors of my staff or me at 716/851-7165.

Sincerely,

David S. Denk

David S Denk
Regional Permit Administrator

LDC:cmn



Town of Lancaster

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

Town Attorney
kloftus@lancasterny.gov

Leza E. Braun
Legal Assistant
lbraun@lancasterny.gov

March 10, 2022

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

RE: Preliminary Plat Cross Creek Phase 9 #5055
6 SFH; 538 Pavement Rd
Town of Lancaster, County of Erie

Honorable Town Board and Planning Board Members:

Enclosed please find a SEQR response dated March 7, 2022, from the Erie County Division of Environmental Planning on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

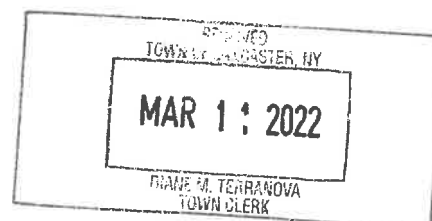
Very truly yours,

Leza Braun

Legal Assistant to Town Attorney

Enc.

CC (w/enc): Town Clerk
Building Inspector
Town Engineer



**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: SP-22-97
Received: 1/21/22

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: <u>Town of Lancaster</u>			
2. Hearing Schedule:	Date <u>2/20/2022</u>	Time <u>7:00pm</u>	Location <u>21 Central Avenue, Lancaster</u>
3. Action is before:	<input type="checkbox"/> Legislative Body	<input type="checkbox"/> Board of Appeals	<input checked="" type="checkbox"/> Planning Board
4. Action consists of:	<input type="checkbox"/> New Ordinance	<input type="checkbox"/> Rezone/Map Change	<input type="checkbox"/> Ordinance Amendment
	<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Variance	<input type="checkbox"/> Special Use Permit
			<input checked="" type="checkbox"/> Other
5. Location of Property:	<input type="checkbox"/> Entire Municipality	<input checked="" type="checkbox"/> Specific as follows	<u>538 Pavement Road</u>
			<u>Lancaster, NY</u>
6. Referral required as Site is within 500' of:	<input type="checkbox"/> State or County Property/Institution	<input type="checkbox"/> Municipal Boundary	<input type="checkbox"/> Farm Operation located in an Agricultural District
	<input type="checkbox"/> Expressway	<input checked="" type="checkbox"/> County Road	<input type="checkbox"/> Proposed State or County Road, Property, Building/Institution, Drainageway
7. Proposed change or use: (be specific) <u>6 Lot Single Family Subdivision on 2.20 acres (Cross Creek Phase 9)</u>			
8. Other remarks: (ID#, SBL#, etc.) <u>SBL#94.15-1-23</u>			
9. Submitted by: <u>Thomas E. Fowler, Jr., Esq. Town Attorney</u>		<u>1/19/22</u>	
<u>21 Central Avenue, Lancaster, New York 14086</u>			

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 1/31/22. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ The proposed action is not subject to review under the law.
2. ☐ Form ZR-3, Comment on Proposed Action is attached hereto.
3. ☐ The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. ☒ No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning:



Date:

3/7/22



Town of Lancaster

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

Town Attorney
kloftus@lancasterny.gov

Leza E. Braun
Legal Assistant
lbraun@lancasterny.gov

March 10, 2022

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

RE: Valvoline Oil Change #2052
4839 Transit Road
Town of Lancaster, County of Erie

Honorable Town Board and Planning Board Members:

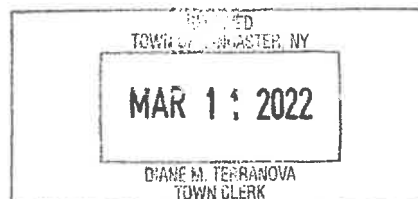
Enclosed please find a SEQR response dated March 7, 2022, from the Erie County Division of Environmental Planning on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

Very truly yours,

Leza Braun
Legal Assistant to Town Attorney

Enc.
CC (w/enc): Town Clerk
Building Inspector
Town Engineer



**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: SP-22-98
Received: 1/21/22

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		<input type="checkbox"/> Other	
5. Location of Property:	<input type="checkbox"/> Entire Municipality	<input checked="" type="checkbox"/> Specific as follows	<u>4839 Transit Road</u> <u>Lancaster, NY</u>
6. Referral required as Site is within 500' of:	<input type="checkbox"/> State or County Property/Institution	<input type="checkbox"/> Municipal Boundary	<input type="checkbox"/> Farm Operation located in an Agricultural District
	<input type="checkbox"/> Expressway	<input type="checkbox"/> County Road	<input checked="" type="checkbox"/> State Highway
			<input type="checkbox"/> Proposed State or County Road, Property, Building/Institution, Drainageway
7. Proposed change or use: (be specific)	<u>Valvoline Instant Oil Change construction of a 1,922 sq. ft. facility</u>		
8. Other remarks: (ID#, SBL#, etc.)	<u>SBL# 126.01-1-4.1</u>		
9. Submitted by:	<u>Thomas E. Fowler, Jr., Esq. Town Attorney</u>	<u>1/19/22</u>	
	<u>21 Central Avenue, Lancaster, New York 14086</u>		

Reply to Municipality by Erie County Division of Planning

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4. ☒ No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning:

CSFO

Date:

3/7/22

Ms. Terranova:

Please submit a copy of this correspondence to all Town Board members, Attorney Fowler and Town Engineer Schiller.

Please enter a copy into the March 21, 2022 communication.

Thank you!

Lee Chowaniec
Lancaster, NY



March 11, 2022

To: Lancaster Town Board
Re: Dog Control Operation

The intent of this correspondence to the Town Board is to seek information who to contact in Dog Control with questions, comments, concerns regarding related dog control department operation or construction of new dog shelter.

On the town's website, under '**Main Function of Department**' it states: **To serve the residents of the Town of Lancaster and Villages of Depew and Lancaster who may have problems or questions related to dogs.**

A complete list of Department Function is provided, and the only contact person listed is Jean Karn – Dog Control Officer. When contacting Ms. Karn and requesting information on related department operations and/or the construction of the new Dog Shelter, I have too often been informed that she does not possess the knowledge I am seeking, that it is out of her authority and/or designated involvement.

When I say to Karn that she should know as she is the Department Head, she answers, "What makes you think that?"

If Ms. Karn is not the Department Head, why is she in charge of putting together a budget, accused by Supervisor Ruffino of mismanaging the department, accused of spending excessively in comparison to other municipalities, accused of demanding more in the construction of the new dog shelter - when in fact even after the added change orders and increased construction costs all that was included in the design of the NYS Animal Companion grant application has not been provided – 6 kennels instead of 9, a one-vehicle garage instead of 2, and other design eliminations. Disinformation!

So, I ask the following:

Is Ms. Karn the Dog Control Department Head? If not, does the Town of Lancaster have a Dog Control Department Head?

If Karn is not the department head, why is she doing the budget?

Who do I contact on issues and concerns regarding the construction costs and workmanship?

Why is it Karn's responsibility to hire Assistant DCO's, but has no authority to terminate them?

What exactly is Karn's job description? She was recently made a full-time DCO, with no salary increase, but benefits. The recent resolution language provided no insight as to job description.

When hired in July 2017, the resolution stated: **BE IT FURTHER, RESOLVED, that Ms. Karn is designated to oversee the dog control function within the Town subject to the expectations, oversight, and direction of the Town Supervisor, or designee, and shall work a schedule to be determined by the Town Supervisor, or designee.**

If Karn is not the Department Head, was certainly not responsible for shelter construction design or its grossly underestimated construction cost, who was in charge?

Supervisor Ruffino openly declares had it not been for him the \$305,000 NYS grant would not have happened. Yet he asks why the grant application was not for \$500,000. Why doesn't he know? Had it been \$500,000 Lancaster's obligation for shelter construction cost would have amounted to \$125,000. It is now \$260,000 and increasing with each change order. Who dropped the ball?

Who is really running the show?

Thank you!

Lee Chowaniec
Lancaster, NY

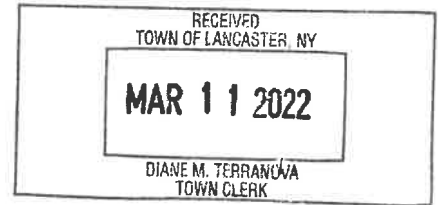
CC – Town Attorney Fowler
Town Engineer Schiller



Mark Meyerhofer

Senior Director
Government Affairs

March 11, 2022



Re: Charter Communications – Programming Change

Dear Municipal Official:

Spectrum Northeast, LLC ("Spectrum"), has become aware, but with no notice from the network, that in 2020 Youtoo America rebranded to YTA, channel 186, on the channel lineup serving your community.

To view a current Spectrum channel lineup visit www.spectrum.com/channels.

If you have any questions, please feel free to contact me at 716-686-4446 or via email at Mark.Meyerhofer@charter.com.

Sincerely,

A handwritten signature in cursive script that reads "Mark Meyerhofer".

Mark Meyerhofer
Senior Director, Government Affairs
Charter Communications



Town of Lancaster

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

Town Attorney
kloftus@lancasterny.gov

Leza E. Braun
Legal Assistant
lbrown@lancasterny.gov

March 10, 2022

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

RE: Valvoline Oil Change #2052
4839 Transit Road
Town of Lancaster, County of Erie

Honorable Town Board and Planning Board Members:

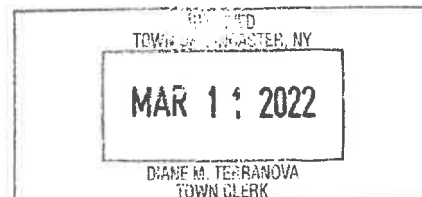
Enclosed please find a SEQR response dated March 7, 2022, from the Erie County Division of Environmental Planning on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

Very truly yours,

Leza Braun
Legal Assistant to Town Attorney

Enc.
CC (w/enc): Town Clerk
Building Inspector
Town Engineer



**SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY
AND REPLY TO MUNICIPALITY**

Note: Please complete in triplicate. Send original and one copy (with attachments) to
Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202.
Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.:

SP-22-98

Received:

1/21/22

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law, which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal Action, such reply must be considered.

Description of Proposed Action

1. Name of Municipality: <u>Town of Lancaster</u>			
2. Hearing Schedule:	Date <u>2/20/2022</u>	Time <u>7:00pm</u>	Location <u>21 Central Avenue, Lancaster</u>
3. Action is before:	<input type="checkbox"/> Legislative Body	<input type="checkbox"/> Board of Appeals	<input checked="" type="checkbox"/> Planning Board
4. Action consists of:	<input type="checkbox"/> New Ordinance	<input type="checkbox"/> Rezone/Map Change	<input type="checkbox"/> Ordinance Amendment
	<input checked="" type="checkbox"/> Site Plan	<input type="checkbox"/> Variance	<input type="checkbox"/> Special Use Permit
			<input type="checkbox"/> Other
5. Location of Property:	<input type="checkbox"/> Entire Municipality	<input checked="" type="checkbox"/> Specific as follows	<u>4839 Transit Road</u> <u>Lancaster, NY</u>
6. Referral required as Site is within 500' of:	<input type="checkbox"/> State or County Property/Institution	<input type="checkbox"/> Municipal Boundary	<input type="checkbox"/> Farm Operation located in an Agricultural District
	<input type="checkbox"/> Expressway	<input type="checkbox"/> County Road	<input type="checkbox"/> Proposed State or County Road, Property, Building/Institution, Drainageway
7. Proposed change or use: (be specific) <u>Valvoline Instant Oil Change construction of a 1,922 sq. ft. facility</u>			
8. Other remarks: (ID#, SBL#, etc.) <u>SBL# 126.01-1-4.1</u>			
9. Submitted by: <u>Thomas E. Fowler, Jr., Esq. Town Attorney</u>		<u>1/19/22</u>	
<u>21 Central Avenue, Lancaster, New York 14086</u>			

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 1/31/22. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. ☐ The proposed action is not subject to review under the law.
2. ☐ Form ZR-3, Comment on Proposed Action is attached hereto.
3. ☐ The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. ☒ No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning:

CSFO

Date:

3/7/22



Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

3/10/2022

The Honorable Town Board
Town of Lancaster
21 Central Ave.
Lancaster, NY 14086

Re: Special Use Permit
7-Eleven, Inc.
4949 Transit Rd.

The above-mentioned Special Use Permit request has been reviewed per Chapter 400-78 of the Code of the Town of Lancaster to operate an Automobile Fueling Station and Car Wash facility as permitted in a General Commercial (GC) Zoning District.

Recent history of the facility will include an expired Operational Permit pending corrections of deficiencies to the 2020 Fire Code of New York State, a currently expired Special Use Permit first issued in 2017, repeated snow maintenance violations regarding public sidewalk and fire exits dating back to 2018.

The Building Dept. recommends a probational Special Use Permit with conditions as follows.

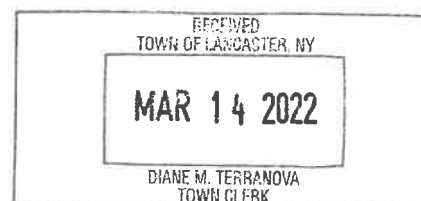
- Renewal of this permit annually until ongoing deficiencies are regularly maintained at no cost to the applicant.
- A copy of the entity Business Certificates/Licenses are submitted to the Town Clerk's Office.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/CFM/SMO
Town of Lancaster Building Department

MF

Cc: Thomas Fowler, Jr., Town Attorney





Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

183
COPY

3/11/2022

Lucas James, LI Const.
3439 Walden Ave.
Depew, NY 14043

RE: 0 William St., SBL#116.00-2-70

Mr. James,

The Lancaster Building and Zoning Department received a complaint about land clearing on a lot that was created without a Minor Subdivision approval.

An application for building permit was denied on 2/25/2021 for that same reason and you were directed to address the illegal creation of this parcel.

Attached is a notice of violation/Order to Remedy.

Your immediate attention is required.

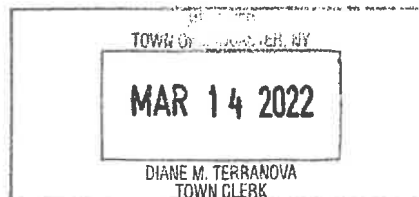
Sincerely,

Matt Fischione, Code Enforcement Officer
Town of Lancaster Building Department
21 Central Avenue
Lancaster, NY 14086

MF

CC: Ed Schiller, Town Engineer
Thomas Fowler, Jr., Town Attorney
Lancaster Town Planning Board
Lancaster Town Board

enc





Town of Lancaster Building Department

21 Central Avenue
Lancaster, New York 14086
Phone 716-684-4171 Fax 716-685-5317

Notice of Violation / Order to Remedy

03/11/2022

To: Lucas James
43 Conrad St
Depew, NY 14043

Property Location: William St

Tax map #: 116.00-2-70

Complaint #: 2022-0231

Date: 03/11/2022

Type: Work w/out Permit

An apparent violation of the Zoning/Building Laws exists on the above property. I observed:
Parcel was created without a minor subdivision approval in March 2018. Portions of LA-17 Wetland area was cleared this week.

This is in violation of the law/ordinance specified below:

Authority/Section/Code: Lancaster Town Code\Chapter 400 Zoning\Article VIII Regulations Applying to All Districts\400-38 Subdivisions\400-38 B Scope and Application

Details: (1) No subdivision of any lot, tract or parcel of land shall be effected, and no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use and travel, or for the common use of occupants of buildings abutting thereon, except in strict accordance with the provisions of these regulations.

(2) All plans for subdivision shall be submitted to the Planning Board for review and recommendations before they are acted upon by the Town Board.

(3) For all major and minor subdivisions, the Planning Board shall provide an advisory opinion to the entity acting as lead agency for SEQRA review.

(4) The provisions contained herein shall apply to all land within the Town of Lancaster.

The following corrective action is required: Obtain Minor Subdivision approvals or merge parcel back to the original tract prior to the March 2018 filing.

YOU ARE THEREFORE DIRECTED AND ORDERED to respond by 3/18/2022

and to comply with the law and to remedy the condition above on or before 4/11/2022

THE TOWN OF LANCASTER RESERVES THE RIGHT TO MAINTAIN THE PROPERTY AT THE PROPERTY OWNER'S EXPENSE.

Failure to remedy these conditions and to comply with the applicable provisions of the law may constitute an offense punishable by fine or imprisonment, or both.

Any person, firm, or corporation or other violating any provision of this ordinance shall be deemed guilty of an offense and upon conviction thereof shall be subject to a fine not exceeding \$250, or to imprisonment not exceeding 50 days, or to both such fine and imprisonment, for each and every violation and for each week and every week that such violation continues.

In addition to other penalties, the Town may institute any appropriate action or proceeding to prevent the unlawful erection, construction, alteration, or use of any building or land in violation of the requirements of this



TOWN OF LANCASTER

BUILDING DEPARTMENT
21 Central Avenue
Lancaster, New York 14086
716-684-4171
Fax 685-5317

Stop Work Order

Date: 03/11/2022

Lucas James
43 Conrad St
Depew, NY 14043

Dear Property Owner,

Parcel was created without a minor subdivision approval. Portions of LA-17 Wetland area was cleared this week.

William St

Tax Map No: 116.00-2-70

Be advised that you are hereby directed to "STOP WORK" at the above referenced property.

This parcel does not meet minimum standards of Local Zoning Code or NYS Code. No work is to proceed until the deficiencies are corrected.

If you have any questions please contact this office at the number above.

Sincerely,

Matt Fischione
Building Inspector



Town of Lancaster

BUILDING DEPARTMENT
21 CENTRAL AVENUE
LANCASTER, NEW YORK 14086
716-684-4171
FAX 685-5317

Bldg Dept
COPY

2/25/2021

Lucas James, LJ Const.
3439 Walden Ave.
Depew, NY 14043

RE: Building Permit request for single family residence

Mr. James

Construction documents for a single-family residence located at 0 William St., SBL#116.00-2-70 were received on 2/23/2021.

Upon review, it was discovered the parcel was created on 3/5/2018 without Town Board approval, pursuant to Town Code Chapter 50-43 A (1) Subdivision Regulations.

The placement of the building appears to be located within DEC Regulated Wetlands, LA-17 and the 100' buffer area.

Before continuing with EC Health Dept. Septic approvals and EC Highway Dept. driveway permit, please provide the Town Board resolution to create the parcel and all DEC Wetland permit documentation.

**UNITED STATES
POSTAL SERVICE**

**Certificate Of
Mailing**

This Certificate of Mailing provides evidence that mail has been presented to USPS for mailing.
This form may be used for domestic and international mail.

From: TOWN OF LANCASTER BLDG. DEPT.
21 CENTRAL AVENUE
LANCASTER, NY 14086

To: Lucas James, LJ Const
3439 Walden Ave
Depew NY 14043

Form 3817, April 2007 PSN 7530-02-000-9065



quarant
CORRECTION
\$001.55
02/25/2021 ZIP 14086
043M31219474

US POSTAGE



Town of Lancaster

BUILDING DEPARTMENT
 21 CENTRAL AVENUE
 LANCASTER, NEW YORK 14086
 716-684-4171
 FAX 685-5317

3/14/2022

Lancaster Town Board
 21 Central Ave.
 Lancaster, NY 14086

RE: Building Department Staffing
PO-17 Building and Zoning Clerk

Honorable Town Board,

The Building and Zoning Department is requesting the creation of an additional Building and Zoning Clerk position to accommodate a vacancy created on February 25, 2022, and to also accommodate a commitment made by the Town Board to a Town employee.

This request was denied in 2020 after amending an existing Code Enforcement Officer position to Assistant Code Enforcement Officer to accommodate the historic growth of the Town and activity within the Village.

Staff shortage continues to limit the quality of service to the community and underserves both the Town and Village of Lancaster in Building Code Administration and Zoning Enforcement.

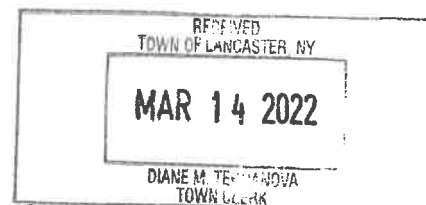
Please contact me for more specific information on minimum administration requirements and proposed staffing changes that would benefit the community and provide proper Town and Village services.

Sincerely,

Matt Fischione, Code Enforcement Officer/ZEO/SMO/CFM
 Town of Lancaster Building Department

CC: Lynne T. Ruda, Mayor, Village of Lancaster

MF



185

Civil Engineering
Environmental Engineering
Municipal Engineering
Land Surveying



Project Management
Construction Support Services
Landscape Architecture
SWPPP Services

T.C. Comm.
T.A. Reso.
(P)

37 CENTRAL AVENUE, LANCASTER, NY 14086-2143

P: 716-683-5961 F: 716-683-0169

Email: wsa@wmschutt.com

M E M O

Date: March 11, 2022

WSA Project # 06168G

TO: Town Board

FROM: Ed Schiller, PE Town Engineer

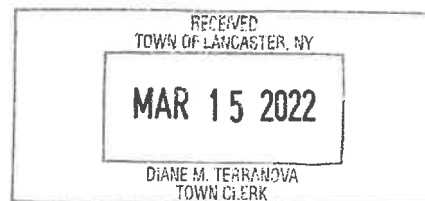
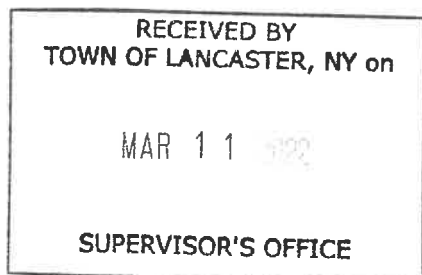
SUBJECT: Application for Special Use Permit, 7-Eleven 4949 Transit Rd

The Application for a Special Use Permit for the referenced project has been reviewed.

We take no exception to the application.

Any questions, please let me know.

Cc M. Fichione, Code Enforcement
T. Fowler, Jr., Town Attorney



22-03-11-06168G-H-Special Use 7-eleven 4949 Transit Rd-TB-m-ems

SUPERVISOR

Ronald Ruffino Sr.

COUNCIL MEMBERS

Adam Dickman
David Mazur
Robert Leary
Mark Burkard

T.C. Comm.
T.A. Reso.
(P)



186
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

March 9, 2022

COMMUNICATIONS

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution to transfer ownership of a 2013 Kubota 4 wheel drive utility vehicle Vin# A5KC2GDBTDGO11663 with 111 hours from the Police Department to the Parks & Recreation Department. The funds for this transfer will be coming from a check received from Auctions International in the amount of \$8,800.00. This check will be deposited into the Police Fund 552665, Sale of Equipment.

Should you require any additional information, please do not hesitate to contact me.

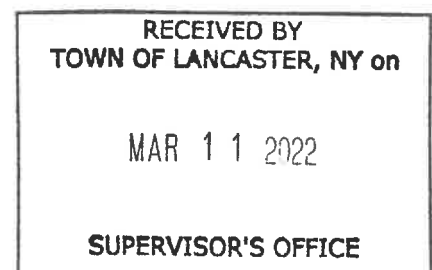
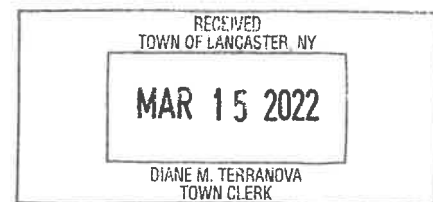
Respectfully submitted,

Michelle Barbaro/gw

Michelle Barbaro
Deputy Highway Superintendent

MB:jw

Cc: Ronald Ruffino, Supervisor
Thomas Fowler, Jr., Town Attorney
Pamela Cuvillo, Director of Administration of Finance
Diane Terranova, Town Clerk



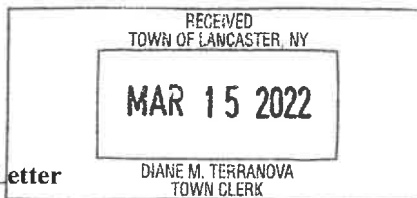
**National Fuel****Engineering Department**

T.C. Comm.

187

Lancaster Town Hall
21 Central Ave.
Lancaster, NY 14086
Supervisor

March 7, 2022



RECEIVED BY
TOWN OF LANCASTER, NY on

MAR 11

SUPERVISOR'S OFFICE

National Fuel Emergency Contact Annual Letter

In the event of an emergency involving a pipeline or facility owned by National Fuel, please contact our 24-hour emergency number 1-800-444-3130 to insure an immediate and coordinated response.

The following National Fuel representatives are responsible for natural gas system operations in your area, and may be contacted for additional assistance. This list replaces any previously provided emergency contact information. You will be notified of any updated contact information as changes occur.

This correspondence is only sent to municipal executives within National Fuel's service territory. Please provide this information to all other pertinent personnel within your municipality, including emergency response and public safety officials. We appreciate your cooperation.

For informational purposes, we are also enclosing a Pipeline Public Awareness Guide. For additional material please see our Pipeline Safety webpage at <https://pipelineandstorage.natfuel.com/pipeline-safety>.

Name and Title	Business Address	Telephone
Mr. Scott Kerr Emergency. Response Coordinator	1216 S. Brady St Dubois, P.A 15801	(814) 371-5870 ext.0223(work) (814) 590-0744 (work cell)

Distribution Corporation:

Name and Title	Business Address	Telephone
Mr. Richard Winney Operations Manager II	9600 Wehrle Drive Clarence, NY 14031	(716) 759-5164(work) (716) 392-6159 (work cell)
Mr. William Snyder Superintendent	365 Mineral Springs Road Buffalo, NY 14210	(716) 827-2327 (716) 207-5145 (cell)

Supply Corporation:

Name and Title	Business Address	Telephone
Mr. Patrick Dougherty Assistant Superintendent	3140 2 nd Street Coudersport, P.A.16915	(814) 274-7170 ext.0224(work) (814) 671-3151 (work cell)
Mr. Craig Ferris Superintendent	365 Mineral Springs Road Buffalo, NY 14210	(716) 827-2305(work) (716) 239-1855 (work cell)

Empire Pipeline:

Name and Title	Business Address	Telephone
Mr. Patrick Dougherty Assistant Superintendent	3140 2 nd Street Coudersport, P.A.16915	(814) 274-7170 ext.0224(work) (814) 671-3151 (work cell)
Mr. Craig Ferris Superintendent	365 Mineral Springs Road Buffalo, NY 14210	(716) 827-2305(work) (716) 239-1855 (work cell)

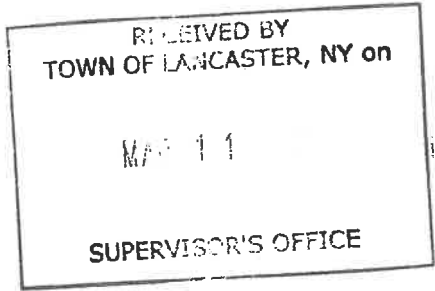
Enclosure

RICHARD P. MATHEWS

DEPEW, NY 14043-5009
PHONE: _____

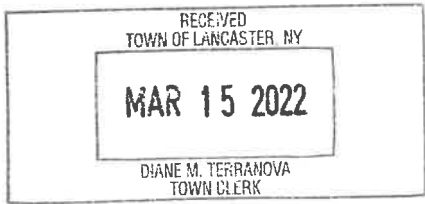
T.C. Comm.
Police
(M)

March 8, 2022



William J Karn, Jr
Town of Lancaster Police Chief
525 Pavement Road
Lancaster, NY 14086

Ronald Ruffino, Sr.
Town of Lancaster Supervisor
21 Central Avenue
Lancaster, NY 14086



Dear Sirs,

For 25 years, I have lived on the corner of Harewood Run and Enchanted Forest North. It's a nice place to live. Over the years, the rest of the neighborhoods around have been built up and, along with it, the traffic has increased. That's to be expected.

What isn't expected is that over the past 3-4 years, the level of traffic enforcement has decreased to the extent that now Enchanted Forest North has become dangerous. Many of our neighbors to the East and North East use Enchanted Forest as their main thoroughfare between their homes and Transit Road. Again...as expected. But they no longer recognize us as a neighborhood, more like the off-ramp from 45 MPH Transit Road to their house.

My neighbors and I have noticed the public's flagrant disregard for stop signs. It can be tricky pulling out from Harewood, even though you have come to a complete stop at the 4-way stop and now have the right-of-way, not knowing if the oncoming driver cares enough to come to a stop. We have all had to "re-stop" as an east or west bound car blasts through the intersection without braking. (I can gather signatures from the neighbors if necessary but it doesn't seem necessary at this point.)

On Sunday March 6, I kept tabs. Since my house faces the corner, I have occasion to look out the window and observe the intersection. I jotted down the time whenever I happened to be looking out the window when a vehicle went through the stop signs without slowing. This is not counting vehicles who braked but did not fully stop. This was only vehicles whose drivers may or may not have taken their foot off the gas, but not applied any breaking.

And my observation was not done all day – just sporadically when I happened to be looking toward the window. I imagine the list would be much longer had I not gone out for a good part of the day.

Here are what I consider astounding results:

<u>Time</u>	<u>Vehicle</u>	<u>Direction of Travel</u>
9:30 A	Small red pick-up	East
9:10 A	Black Jeep SUV	East

11:00 A	White Toyota SUV	East turned North
7:35 P	Black Compact	East
7:36 P	Black Sedan	East
7:39 P	Black SUV	East
8:06 P	Grey	East
8:23 P	Maroon	East
9:16 P	Black Compact	East
9:17 P	White	South turned West
9:29 P	Black Crossover	East
9:30 P	Grey	East turned North
9:42 P	Camaro	East turned North
9:58 P	White Coupe	East
10:00 P	Black car	East
10:26 P	Black small car	West

Sixteen vehicles. So, it wasn't my imagination. This was not a scientific study, by any means. It was just me noticing randomly whenever a car would approach the intersection and noting the time when a vehicle shot through the intersection. Again, this does not include those who had slowed enough to stop but didn't, or those who came to a full stop (yes, there were some). The percentages of those differences aren't important. The fact the 16 drive-throughs occurred is.

Until a few years ago, there was a more concerted effort by a police detail that would ticket those who didn't stop. It was enough of a deterrent that drivers would then stop or at least slow down regularly, not knowing if there was a patrol car ready to ticket them. The lack of enforcement seems to have fostered a new breed of driver who drives with no regard for the neighborhood or the traffic control devices because they know they can get away with it.

I am asking you to take action by having the police force issue tickets or at least warnings to those scofflaws...or just sit there with their lights on...or park an unoccupied marked car...or anything to let the drivers know there is a presence. With spring coming, more people have already started walking, more bicycles will be on the roads, and we all can agree there is a grave potential for problems. It is up to you to provide patrols to mitigate this before a disaster happens.

I can be reached to discuss at _____, if you need more or different information.

Sincerely,





National Fuel

Engineering Services

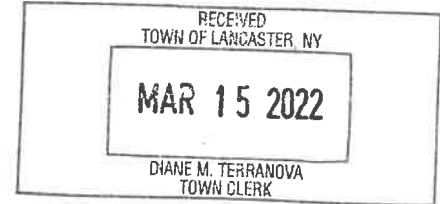
*T.C. Comm.
Highway - Pilato*

RR

189

March 10, 2022

Lancaster Town Hall
21 Central Ave.
Lancaster, NY 14086
Supervisor



Re: Highway & Municipal Construction Projects

Dear Sir or Madam:

PLEASE ADVISE OF PUBLIC IMPROVEMENT PROJECTS IN YOUR JURISDICTION.

National Fuel Gas is in the process of planning pipeline replacement projects for 2022-2023. To plan for replacements resulting from public improvement projects, we are asking that you provide us information on projects planned in your jurisdiction. It is important that we receive information on projects involving:

- Grade changes within road right-of-way
- Drainage
- Full depth road construction
- Paving and restoration

These projects may involve replacement of our facilities. When our facilities are involved, we usually require 6 months advance notice to design, bid, and construct. When environmental permitting is required, it may substantially prolong the project schedule.

Please provide a preliminary list of your planned projects, anticipated scope, and estimated start dates to Andrew Gilbert, Utility Design Engineer. We understand that many times projects are delayed and others are added based on funding and area needs. As your plans develop, please send us digital copies of construction designs so that we may evaluate our involvement and identify any conflicts. When Mill and Pave projects do not involve a direct conflict, National Fuel may be able to avoid future pavement cuts by replacing aging facilities prior to resurfacing.

Our goal is to coordinate pipeline replacement projects with municipal projects so that we may relocate our facilities in advance of your construction when warranted. The result will be fewer delays and conflicts for your contractors and will help provide safe and uninterrupted gas service to your community.

If you are planning a pre-design survey, submit a One-Call design ticket, and provide project information in the remarks section. Identifying gas line locations on your plans can be extremely helpful to your contractors in improving safety and avoiding charges for damaging underground gas facilities.

As an additional resource to utilize early in design of any construction projects, the Pipeline and Hazardous Materials Safety Administration (PHMSA) collects data from transmission pipeline operators and displays GIS pipeline information for transmission facilities **ONLY** on their NPMS Public Viewer. When transmission facilities are involved, National Fuel has additional requirements that need to be considered that may impact project scheduling and costs. This GIS database can be found at <https://pvnpm.phmsa.dot.gov/PublicViewer/> and is a free tool to use to assist in identifying

if transmission facilities exist near your project limits during the design phase. Please note that this is **NOT** to be considered as a substitute for the 811-call procedure and does **NOT** identify non-transmission facilities.

While highway infrastructure, municipal utilities and pipelines can safely coexist, it is extremely important to thoroughly consider natural gas pipelines when developing building or construction plans. Please visit National Fuel's Pipeline Safety website at <https://www.nationalfuel.com/pipeline-storage/about-pipeline/pipeline-safety/> for information on designing and constructing facilities near natural gas pipelines, including;

- The Pipeline and Informed Planning Alliance (PIPA) recommended practices for property developers and planning boards on building safely near natural gas pipelines.
- National Fuel's encroachment manuals, which explain right-of-way agreements, encroachment agreements, construction requirements and other valuable information for planners and developers looking to begin the design phase.

Prior to construction, it is the Excavator's responsibility to contact the One-Call Center (Call 811) which in turn notifies National Fuel of planned excavation in proximity to our natural gas pipelines and other facilities. This enables us to mark the location of those facilities in advance of excavation.

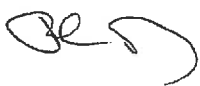
To ensure worker and public safety during construction, National Fuel is providing guidance for working around gas facilities in this correspondence. Enclosed are a "Summary of Excavator Responsibilities" and a "Typical Gas Line Crossing/Open Trench Detail." For excavation and safety training materials, please refer to the National Fuel Pipeline Safety webpage for additional information and links to training materials on excavation safety, including the Dig Safely New York website at <https://www.digsafelynewyork.com/safety-training/safety-videos> for their library of safety videos. We urge you to share this information with your contractors and inspectors by including this information in your bid documents and construction specifications. We also ask that you encourage your inspectors to enforce proper excavation practices with your contractors during construction.

Enforcing proper excavation practices around gas pipelines is especially important in light of an incident in January of 2011, in Horseheads NY. There, improper backfill procedures following the installation of municipal sewer and water facilities caused a pre-existing gas pipeline to crack. The resulting leak ignited, resulting in a fatality and two injuries.

In another case, a deadly residential home explosion took the life of a child two decades after crews installed a sewer line using improper excavation procedures. In 2016, an incident occurred in Dallas, TX that involved 3-separate residential fires and/or explosions during a three-day period. The cause was found to be a leak resulting from a crack of a 2" steel main installed in 1946. The cracked resulted from a dent caused by a sewer replacement project in 1995. The guidance attached to this letter is designed to improve excavation practices so that the circumstances that led to these incidents can be avoided.

Please contact Andrew Gilbert regarding project coordination.

Sincerely,



Paul Roy
Manager, Contractor Administration
royp@natfuel.com
(716) 857-7437



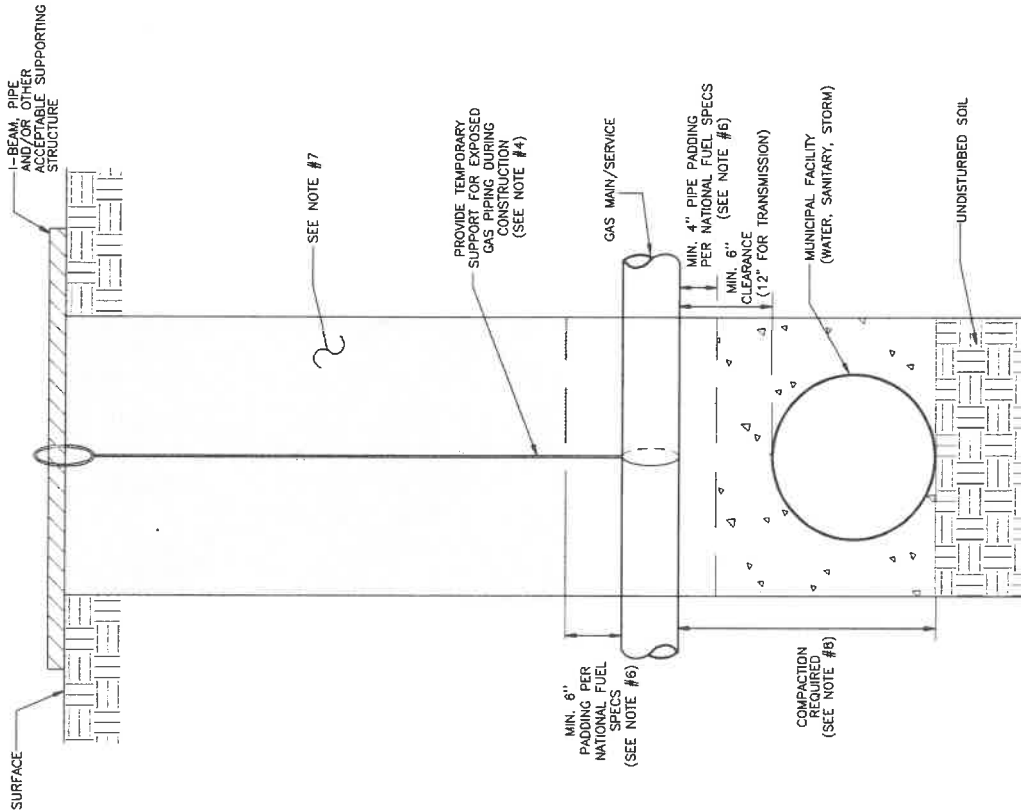
Andrew Gilbert
Utility Design Engineer
gilberta@natfuel.com
(716) 857-7110

Summary of Excavator Responsibilities

See One-Call regulations for details (www.Call811.com).

1. Notify the One-Call Center (**Call 811**) in accordance with regulations. In Pennsylvania, notification must be made not less than 3 nor more than 10 business days prior to commencing excavation work, and in New York this is 2 to 10 full business days prior to starting any work that might be considered an excavation or demolition. Postponing the job will likely require re-notification to the One-Call Center. Furthermore, if the job site becomes inactive, call to have the specific work area remarked prior to restarting the work.
2. Designating the dig site in white will aid in the timely marking of underground facilities. Pre-marking proposed facilities in white may be required.
3. If work is to be performed at multiple sites or over a large area, take reasonable steps to work with facility owners so that they may locate their facilities. Limit the size of each ticket. Using reasonable start dates for individual tickets facilitates getting the proper areas marked when needed.
4. In Pennsylvania, if a project involves more work than can be described on a single locate request (i.e. 1,000ft in length or intersection to intersection, whichever is greater) it shall be called in as a complex project notification.
5. After commencement of excavation or demolition work, the excavator is responsible for protecting and preserving the staking, or marking until excavation or demolition work in the area is complete. If necessary, call the One-Call Center to have the lines remarked.
6. Where an underground facility has been staked, marked or otherwise designated, verify the precise location, type, size, direction of run and depth of the underground facility. Use prudent techniques such as vacuum excavation or hand-dug test holes, to verify the precise location of facilities. It is best to verify prior to excavating in the general area, but verification must be done prior to excavating in the tolerance zone. Once the precise location of underground facilities have been verified, continue to exercise due care within the tolerance zone. Call the facility owner if a marked facility cannot be found or the One-Call center if an unmarked facility is discovered.
7. Inform each equipment operator of the information obtained from facility owners. Plan the excavation or demolition to avoid damage to or minimize interference with a facility owner's facilities in the construction area.
8. Consult the facility owner if:
 - a. Excavation or demolition work requires temporary or permanent interruption of a facility owner's service. Such interruption must be coordinated with the affected facility owner in all cases.
 - b. A facility is exposed or undermined. The excavator must provide support and mechanical protection for facility owner's lines at the construction site during excavation or demolition work, including during backfilling operations.
9. Report immediately to the facility owner any break, leak, dent, gouge, or other damage to the facility owner's lines made or discovered during the course of excavation or demolition work. Including, damage to pipeline coatings, locating wire and cables for cathodic protection.
10. In the event of an emergency involving danger to life, health or property as a result of damage to an underground facility containing gas or liquid petroleum products or as a result of an electrical short or escape of gas or hazardous liquids, the excavator shall:
 - a. Proceed to evacuate his or her employees and all other endangered persons from the immediate vicinity to the best of his or her ability. Do not use any mechanical or electrical equipment (including cell-phones) in the area.
 - b. Immediately contact 911 and the Facility Owner, reporting the exact location, nature of the emergency and type of underground facility damaged.

THE NATIONAL FUEL GAS COMPANY EMERGENCY NUMBER IS:
1-800-444-3130
24 hours/day, 7 days/week



NOTES

1. PRIOR TO ANY EXCAVATION WORK, DAMAGE PREVENTION LAWS REQUIRE PERSONS TO MAKE CONTACT WITH THE APPROPRIATE ONE-CALL SYSTEM BY CALLING 811 OR IN NEW YORK 1-800-962-7862/ IN PENNSYLVANIA 1-800-242-1776.
2. IF A NATURAL GAS FACILITY IS DAMAGED, RESULTING IN A RELEASE OF NATURAL GAS, IMMEDIATELY CALL 911 AND THE NATIONAL FUEL EMERGENCY NUMBER 1-800-444-3130.
3. IF A NATURAL GAS LINE IS SCRATCHED, GOUGED, DENTED, PULLED, OR BOWED DURING EXCAVATION WORK OR THE PROTECTIVE COATING IS DAMAGED, IMMEDIATELY CALL THE NATIONAL FUEL EMERGENCY NUMBER 1-800-444-3130 SO THAT WE CAN INVESTIGATE AND REPAIR ANY DAMAGE THAT COULD AFFECT PUBLIC SAFETY. SEEMINGLY INCONSEQUENTIAL DAMAGE CAN HAVE A MAJOR IMPACT AND CAN POTENTIALLY RESULT IN A FUTURE PIPELINE FAILURE.
4. NATIONAL FUEL REQUIRES THAT EXCAVATORS SUPPORT OUR FACILITIES IF EXPOSED DURING CONSTRUCTION. THE EXCAVATOR SHALL PROVIDE SUCH SUPPORT IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES. SUPPORT MUST BE MAINTAINED THROUGHOUT CONSTRUCTION AND BACKFILL OPERATIONS. THE SUPPORT SYSTEM SHALL PROTECT THE GAS FACILITIES FROM SETTLEMENT, TRAFFIC AND HEAVY LOADS OR FORCES. CONTACT NATIONAL FUEL FOR SUPPORT RECOMMENDATIONS AND INSPECTION WHERE GAS PIPING WILL BE EXPOSED FOR A LENGTH OF 15' OR GREATER, OR WHENEVER A COUPLING OR FITTING IS EXPOSED.
5. UNDERGROUND UTILITIES AND OTHER STRUCTURES PLACED NEAR NATIONAL FUEL FACILITIES MUST MAINTAIN A MINIMUM CLEARANCE OF 12" FOR TRANSMISSION PIPELINES AND 6" FOR DISTRIBUTION MAINS AND SERVICES. ANY METALLIC STRUCTURE PLACED NEAR STEEL PIPELINES REQUIRES THE INSTALLATION OF AN ELECTRIC TEST STATION.
6. BACKFILL MATERIAL AROUND NATIONAL FUEL GAS FACILITIES SHALL BE CLEAN DIRT, FREE OF SHALE OR SHARP STONES. ROUND STONES SHALL BE NO LARGER THAN 1" IN DIAMETER. ACCEPTABLE BACKFILL MATERIALS ARE:
 - A. SAND (SAND IS THE PREFERRED MATERIAL WHERE WASHOUT IS NOT LIKELY).
 - B. STONE "SCREENINGS" (LIMESTONE) ALL PASSING:
 - 100% PASSING THE NO.40 SIEVE
 - 70% PASSING THE NO.200 SIEVE
 - C. GRAVEL (A MODIFIED SIDEWALK MIX) OF A 50/50 BLEND OF NO.1A ROUND GRAVEL AND SAND.
 - D. NO.1A ROUND GRAVEL.
7. FILL MATERIAL BEYOND THE SELECT BACKFILL SHALL BE FREE OF LOGS, CINDERS, STUMPS, SKIDS, BRUSH OR ROCKS LARGER THAN 12 INCHES.
8. BACKFILL MATERIAL BENEATH AND AROUND ANY UNDERGROUND GAS FACILITY SHALL BE PROPERLY COMPACTED IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES.
9. HEAVY LOADS AND EXCESSIVE FORCES SHALL NOT BE IMPOSED ON GAS FACILITIES AT ANY TIME DURING CONSTRUCTION OR BACKFILLING OPERATIONS.
10. #10 OR #12 LOCATING WIRE IS BURIED ALONG SIDE MOST PLASTIC GAS MAINS AND SERVICES. HEAVIER CABLES (PART OF CATHODIC PROTECTION SYSTEMS) MAY ALSO BE FOUND NEAR SOME STEEL PIPE FACILITIES. IF ANY WIRE OR CABLE IS DAMAGED IT MUST BE IMMEDIATELY REPORTED TO NATIONAL FUEL.


 National Fuel DISTRIBUTION CORPORATION ENGINEERING 6903 MAIN STREET WILLIAMSVILLE, NY 14221	TYPICAL GAS LINE CROSSING OPEN TRENCH DETAIL		DRAWING NO. 1
	CHECKED BY T. J. RIGANT DATE 1/5/12	APPROVED BY K. PARKER K. HOUSE	SHEET NO. 1 OF 1

SUPERVISOR

Ronald Ruffino Sr.

COUNCIL MEMBERS

Adam Dickman
David Mazur
Robert Leary
Mark Burkard

T.C. Comm.
T.A. Reso.




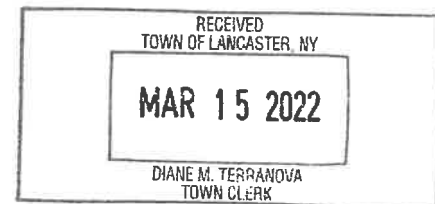
190
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

March 15, 2022

COMMUNICATIONS

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution to have Vertiv Corporation, P.O. Box 70474, Chicago, IL 60673, replace the backup batteries of the current 911 System that is located in the old Police Department at 525 Pavement Road. This replacement is required every five years. I have contacted two vendors with Vertiv being the only Emerson dealer for that System. The cost of the job is \$6,929.90. The funds for this will be coming out of budget line item 01-1620-0260, Other Capital Outlay. All insurance certificates will be obtained prior to the job being started.

Should you require any further information, please do not hesitate to contact me.

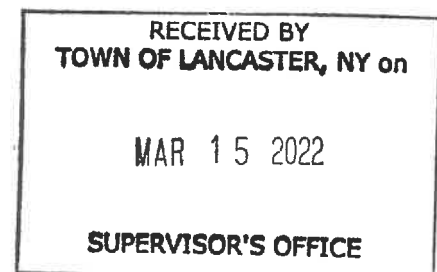
Respectfully yours,

Michelle Barbaro
Deputy Highway Superintendent
Town of Lancaster

MB/jw

Enc.

Cc: Ronald Ruffino, Town Supervisor
Thomas Fowler, Town Attorney
Pam Cuiello, Director of Administration of Finance
Diane Terranova, Town Clerk



SUPERVISOR
Ronald Ruffino Sr.

COUNCIL MEMBERS
Adam Dickman
David Mazur
Robert Leary
Mark Burkard

T.C. Comm.
T.A. Reso.
(PD)



191
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

March 15, 2022

COMMUNICATIONS

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

Dear Honorable Town Board:

The Town of Lancaster Parks, Recreation and Forestry Department is requesting a resolution to accept a donation from Frank Todaro, _____, Lancaster, NY. Frank would like to donate a tree to be planted in the Town's right of way adjacent to 206 Warner Road. Upon approval, the Town of Lancaster Parks, Recreation & Forestry Department Laborers will be planting the tree. The value of this tree is approximately \$200.00.

Frank and his family would like to personally donate the tree to the town to honor the victims of the tragic accident that occurred at this location earlier this month.

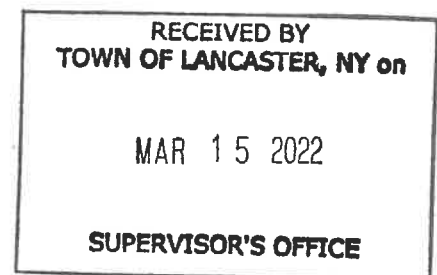
If you have any questions or concerns, please contact me at your convenience.

Respectfully submitted,

Michelle Barbaro
Deputy Highway Superintendent

MB;jw

Cc: Ronald Ruffino, Sr., Supervisor
Thomas Fowler, Jr., Town Attorney



THE TODARO FAMILY

LANCASTER, NEW YORK

March 7, 2022

Hon. Robert Leary
Council Member
Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086

Dear Councilman Leary,

As you are aware, our community experienced a tragic accident on the night of March 2nd that claimed the lives of two young Lancaster residents and sent a third to the hospital in critical condition. Sadly, this loss is very close to home for my family, particularly my daughter, who was very close friends with the two girls. As a father, I can't help but think it easily could have been my daughter. I understand the grief their family and friends are going through and I was hoping to do something to help.

We all know that in times like this thoughts, prayers, and condolences can be comforting, but they are ultimately inadequate in providing a path forward through grief. My daughter and her friends remain in shock at the untimely loss of their two dear friends, and they have been discussing ideas for how they can honor their memories in a way that will provide them many opportunities in the future to reflect upon the wonderful people and friends that they were.

My daughter and her friends would like to plant a tree at the site of the accident, to replace the one that was damaged. Planting a new tree together will provide a wonderful moment for the girl's friends to come together to remember their lives and honor their memory now, and for many years to come.

The tree will need to be planted in the Town's right of way adjacent to 206 Warner Road. My family would like to personally donate the tree to the town so that the friends of the victims can be involved in planting it as a way to help them overcome their grief while creating a lasting tribute to their friends. I am asking that the Town Board approve the acceptance of my donation.

Sincerely,

A handwritten signature in black ink that reads "Frank J. Todaro". The signature is written in a cursive, slightly slanted style.

Frank J. Todaro and Family

cc: Hon. John Pilato, Highway Superintendent
The Town Board

Michelle Barbaro

From: Todaro, Frank <Frank.Todaro@erie.gov>
Sent: Tuesday, March 15, 2022 9:21 AM
To: Michelle Barbaro
Subject: Re: The Todaro Family - Tree Planting Donation - 3.7.22 (002)

Good morning Michelle,

I apologize for the delay, as the tree and shrub wholesaler just got back to me because they are beginning to stock items for the spring season. The cost of the tree is \$192 plus tax. Once the tree is purchased, I will forward you a copy of the paid receipt for the town records pending approval from the town board. I'd ask in appreciate if the Lancaster DPW would install the tree as well.

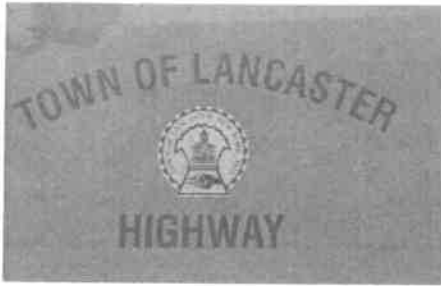
Thank you,

Frank Todaro

> On Mar 8, 2022, at 7:00 AM, Michelle Barbaro <MBarbaro@lancasterny.gov> wrote:
>
>
> [Caution: this email is not from an Erie County employee: attachments
> or links may not be safe.]
>
>
>
> Frank,
>
> Could you also tell me the approximate cost as I will need to put that in the letter. Are you also planning on installing
the tree or is that something you would like the Parks Department to assist you with.
>
> Please let me know and I will form the letter to the Town Board.
>
> Thank you.
>
> Michelle Barbaro
> Deputy Highway Superintendent
> Town of Lancaster
>
>
>
>> -----Original Message-----
>> From: Todaro, Frank <Frank.Todaro@erie.gov>
>> Sent: Monday, March 7, 2022 4:16 PM
>> To: Robert Leary <RLeary@lancasterny.gov>
>> Cc: Michelle Barbaro <MBarbaro@lancasterny.gov>
>> Subject: Re: The Todaro Family - Tree Planting Donation - 3.7.22
>> (002)
>>
>> 2 weeks from now should be just fine.

T.C. Comm.

192



(P)

**TOWN OF LANCASTER
HIGHWAY DEPARTMENT
525 PAVEMENT ROAD
LANCASTER, NY 14086**

**John Pilato
Highway Superintendent
Tel (716)683-3426
Fax (716)685-0271**

COMMUNICATIONS

March 15, 2022

Honorable Town Board
21 Central Avenue
Lancaster, NY 14086

Re: 2014 Western Star Single Axel Dump Truck Repairs

Dear Honorable Town Board Members:

On behalf of the Highway Department, we are informing the Town Board of costly repairs that are needed for our 2014 Western Star Single Axel Dump Truck. The only dealer for these truck repairs is Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, NY 14224. These repairs are dealer only and include a new compressor, fuel module, and fuel pump. Please see the attached early estimate which we believe will exceed \$5,000 due to additional parts and labor to repair. The funds for these repairs will be paid out 13-5142-0210.

Should you require any further assistance, please do not hesitate to call me.

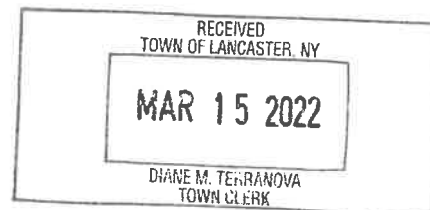
Respectfully yours,

A handwritten signature in cursive script that reads "Michelle Barbaro".

Michelle Barbaro
Deputy Highway Superintendent
Town of Highway Lancaster

MB/kak

Cc: Pam Cuvillo, Director of Administration
Ron Ruffino, Town Supervisor
Thomas Fowler Jr., Town Attorney
Diane Terranova, Town Clerk





NYS Station #5151954

FLEET MAINTENANCE, INC.



2/16/2022

<u>Date</u>	<u>Qty</u>	<u>In Stock</u>	<u>P/N</u>	<u>Description</u>	<u>Parts</u>	<u>Labor</u>	<u>Parts & Labor</u>
140.00	16.90			REPLACE THE AIR COMPRESSOR AND FUEL MODULE	\$ -	2,366.00	\$ 2,366.00
0.00	0.00			AIR COMPRESSOR	\$ 686.19	-	\$ 686.19
0.00	0.00			COOLANT LINE	\$ 15.48	-	\$ 15.48
0.00	0.00			COOLANT LINE	\$ 37.96	-	\$ 37.96
0.00	0.00			FUEL MODULE	\$ 747.67	-	\$ 747.67
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00				\$ -	-	\$ -
0.00	0.00			MISC.	\$ -	-	\$ -
0.00	0.00			SUBLET * (May not be included in estimate)	\$ 75.00	-	\$ 75.00
0.00	0.00			FREIGHT	\$ -	-	\$ -
0.00	0.00			COMPUTER DIAGNOSTIC FEE	\$ 235.00	-	\$ 235.00
0.00	0.00			HAZ/WASTE/MISC.	\$ -	-	\$ -
0.00	0.00				\$ 15.00	-	\$ 15.00

16.9

Note: Above Subject to change pending inspection and tear down.

Note: Estimate does not include any charges for damaged or unacceptable cores, freight charges or sublets.

Customer: TOWN OF LANCASTER

Unit # 87

Vin #	FW2695
-------	--------

Work Order #

Sign Here

Est By: MW

Totals

\$	1,812.30	\$	2,366.00	\$	4,178.30
----	----------	----	----------	----	----------

Sub Total	\$	4,178.30
NYS Tax	\$	-
Total	\$	4,178.30



Town of Lancaster

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

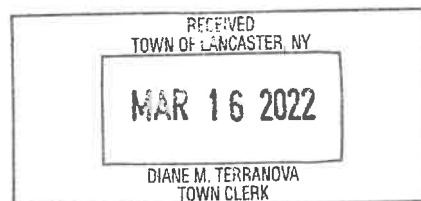
THOMAS E. FOWLER, JR
Town Attorney

Leza E. Braun
Legal Assistant

December 16, 2021

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

RE: Anderson's Site Amendment #2135
4855 Transit Road
Town of Lancaster, County of Erie



Honorable Town Board and Planning Board Members:

Enclosed please find a SEQR response dated March 8, 2022, from the Erie County Division of Sewerage Management regarding the site drawing modifications on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

Very truly yours,

Thomas E. Fowler, Jr., Esq.
Town Attorney

TEL:lb

Enc.

CC (w/enc): Town Clerk
Building Inspector
Town Engineer



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT & PLANNING

DANIEL CASTLE, AICP
COMMISSIONER

JOSEPH FIEGL, P.E., BCEE
DEPUTY COMMISSIONER

March 8, 2022

Thomas E. Fowler, Jr., Esq.
Town Attorney
21 Central Avenue
Lancaster, NY 14086

RE: Erie County Sewer District No. 4 (ECSD #4)
Anderson's Frozen Custard #2135
4855 Transit

Dear Mr. Fowler,

The Erie County Division of Sewerage Management (DSM) has reviewed the site plan for the above-mentioned project and offers the following comments:

- The DSM has no objection to the Town of Lancaster obtaining Lead Agency status.
- The proposed project is within the bounds of ECSD #4.
- As proposed, changes to the grease interceptor will require review and approval from the Erie County DSM.
- Sanitary design shall be in accordance with the "Recommended Standards for Wastewater Facilities" (i.e. "Ten State Standards") and Erie County Sewer District Rules and Regulations and Design Requirements.
- The Design Engineer is encouraged to discuss preliminary sanitary sewer plans with the DSM in advance completing the sewer design.

The above does not constitute DSM approval or disapproval of this project. If there are any questions or concerns, please contact me at (716) 858-6586.

Sincerely,

Christopher Fiume
Assistant Sanitary Engineer

cc: M. Salah / 4.2.5 Commercial
L. Surdej (w/plans)
M. Ortiz
SEQR Files



Town of Lancaster

Office of The Town Attorney

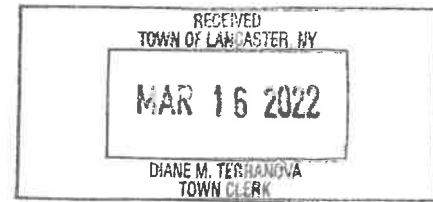
21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

THOMAS E. FOWLER, JR
Town Attorney

Leza E. Braun
Legal Assistant

March 14, 2022

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086



RE: Motel & Mixed-Use Broadway & Bowen #2210
5827 Broadway
Town of Lancaster, County of Erie

Honorable Town Board and Planning Board Members:

Enclosed please find a SEQR response dated March 8, 2022, from the Erie County Division of Sewerage Management on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

Very truly yours,

Thomas E. Fowler, Jr., Esq.
Town Attorney

TEF:lb

Enc.

CC (w/enc): Town Clerk
Building Inspector
Town Engineer



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF ENVIRONMENT & PLANNING



DANIEL CASTLE, AICP
COMMISSIONER

JOSEPH FIEGL, P.E., BCEE
DEPUTY COMMISSIONER

March 8, 2022

Thomas E. Fowler, Jr., Esq.
Town Attorney
21 Central Avenue
Lancaster, NY 14086

RE: Erie County Sewer District No. 4 (ECSD #4)
Motel & Mixed Use – Broadway & Bowen #2210
5827 Broadway – Site Plan Review

Dear Mr. Fowler,

The Erie County Division of Sewerage Management (DSM) has reviewed the site plan for the above-mentioned project located at SBL #116.31-1-3 and offers the following comments:

- The DSM has no objection to the Town of Lancaster obtaining Lead Agency status.
- The proposed project is within the bounds of ECSD 4.
- The wastewater generated from this site would be transmitted via the ECSD 4 sanitary sewer collection system to the City of Buffalo sewer collection system and Bird Island Treatment Plant.
- As proposed, this project will require review and approval from the Erie County DSM.
- Sanitary design shall be in accordance with the "Recommended Standards for Wastewater Facilities" (i.e. "Ten State Standards") and Erie County Sewer District Rules and Regulations and Design Requirements.
- The Design Engineer is encouraged to discuss preliminary sanitary sewer plans with the DSM in advance completing the sewer design.

The above does not constitute DSM approval or disapproval of this project. If there are any questions or concerns, please contact me at (716) 858-6586.

Sincerely,

Christopher Fiume
Assistant Sanitary Engineer

cc: M. Salah / 4.2.5 Commercial
M. Ortiz
SEQR Files



Town of Lancaster

Office of The Town Attorney

21 Central Avenue
Lancaster, New York 14086
(716) 684-3342
Fax: (716) 681-7475

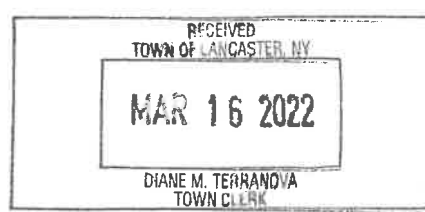
THOMAS E. FOWLER, JR
Town Attorney

Leza E. Braun
Legal Assistant

March 14, 2022

Honorable Town & Planning Board Members
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

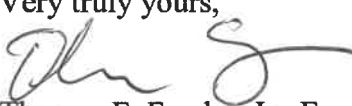
RE: Amendment to Original Site Plan #1143
Plumb Creek Apartments
5680 Broadway
Town of Lancaster, County of Erie



Honorable Town Board and Planning Board Members:

Enclosed please find a SEQR response dated March 8, 2022, from the Erie County Division of Sewerage Management on the above-referenced project for your review.

Should you have any questions or concerns, please call me.

Very truly yours,

Thomas E. Fowler, Jr., Esq.
Town Attorney

TEF:lb
Enc.
CC (w/enc): Town Clerk
Building Inspector
Town Engineer



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

DEPARTMENT OF ENVIRONMENT & PLANNING

DANIEL CASTLE, AICP
COMMISSIONER

JOSEPH FIEGL, P.E., BCEE
DEPUTY COMMISSIONER

March 8, 2022

Thomas E. Fowler, Jr., Esq.
Town Attorney
21 Central Avenue
Lancaster, NY 14086

RE: Erie County Sewer District No. 4 (ECSD #4)
Plumb Creek Apartments – 5680 Broadway
Amendment to Original Site Plan #1143

Dear Mr. Fowler,

The Erie County Division of Sewerage Management (DSM) has reviewed the amended site plan for the above-mentioned project located at SBL #116.05-1-3 and offers the following comments:

- The DSM has no objection to the Town of Lancaster obtaining Lead Agency status.
- The proposed project is within the bounds of ECSD 4.
- The wastewater generated from this site would be transmitted via the ECSD 4 sanitary sewer collection system to the City of Buffalo sewer collection system and Bird Island Treatment Plant.
- As proposed, this project will require permitting and approval from ECSD #4.
- Sanitary design shall be in accordance with Erie County Sewer District Rules and Regulations and Design Requirements.

The above does not constitute DSM approval or disapproval of this project. If there are any questions or concerns, please contact me at (716) 858-6586.

Sincerely,

Christopher Fiume
Assistant Sanitary Engineer

cc: M. Salah / 4.2.5 Commercial
M. Ortiz
W. Strzeszynski
SEQR Files

SUPERVISOR

Ronald Ruffino Sr.

COUNCIL MEMBERS

Adam Dickman
David Mazur
Robert Leary
Mark Burkard

T.C. Comm.
T.A. Reso.
(Signature)



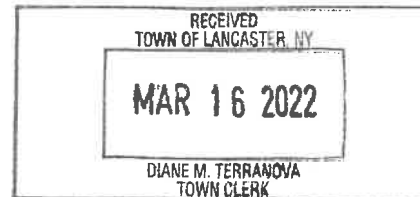
196
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

March 15, 2022

COMMUNICATIONS

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Re: 2023 Freightliner M2-106 chassis with 10' stainless steel dump body and plow equipment

Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution to purchase one new and unused 2023 Freightliner M2-106 chassis with 10' stainless steel dump body and plow equipment. The cost of this truck is \$188,475.00. This truck will be purchased off of NYS Award #23166, Group 40440, under NYS MWBE Article 15-A File ID # 1909. The Vendor is Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, NY 14224. The funds for this purchase will be coming from the bond resolution dated March 15, 2021.

Should you require any additional information, please do not hesitate to contact me.

Respectfully submitted,

Michelle Barbaro

Michelle Barbaro
Deputy Highway Superintendent

MB:jw

Enc.

Cc: Ronald Ruffino, Supervisor
Thomas Fowler, Jr., Town Attorney
Pamela CuvIELLO, Director of Administration of Finance
Diane Terranova, Town Clerk



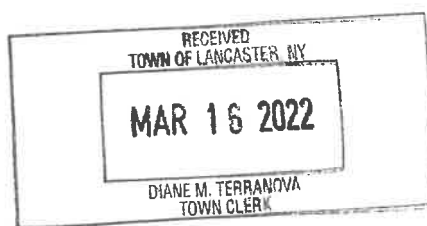
T.C. Comm.
Fay / Backert
(20)



Lancaster Senior Center
100 Oxford Avenue
Lancaster, New York 14086
Phone: 685-3498
Fax: 685-3594

March 15, 2022

Supervisor Ronald Ruffino Sr.
And Honorable Council Members
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Dear Supervisor Ruffino and Honorable Council Members:

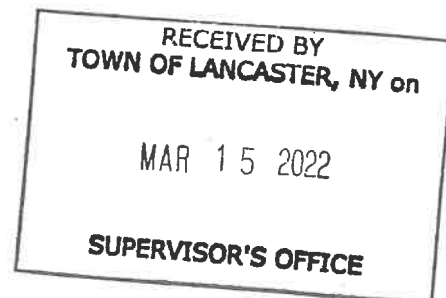
I respectfully request a resolution for your consideration to hire Kathy L. Brunner, _____, Lancaster NY 14086, to the position of Recreation Attendant, and Van Driver, permanent- part time for the Senior Citizens Center. Her salary will be \$15.00 per hour with no benefits and will be working no more than 19.75 hours per week, per title. These are both replacement positions. This will be effective 3/22/22.

Should you approve, I would like to request that a resolution be placed on the agenda for the Monday, March 21, 2022 town Board meeting. If you have any questions or concerns, please contact me at your convenience.

Sincerely,

Mary Beth Gianni

Marybeth Gianni



SUPERVISOR

Ronald Ruffino Sr.

COUNCIL MEMBERS

Adam Dickman
David Mazur
Robert Leary
Mark Burkard

T.C. Comm.
T.A. Reso.
P

Town of Lancaster



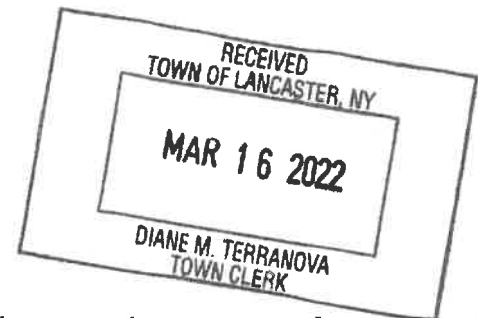
198
Deputy Highway Superintendent
Michelle Barbaro

525 Pavement Road
Lancaster, NY 14086
716-684-3320 phone
716-685-3497 fax

March 16, 2022

COMMUNICATIONS

Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Dear Honorable Town Board:

I would appreciate your support in sponsoring a resolution to enter into a service agreement for preventative maintenance with Greater Niagara Mechanical, Inc., 7311 Ward Road, North Tonawanda, NY, 14120. This preventative maintenance agreement is for the testing and inspecting of HVAC units at the Town of Lancaster Police and Court Building. This agreement is for a one-year period from April 1, 2022, to March 31, 2023. The total cost for this agreement is \$4,980.00 per year with the funds to be taken out of Account 01.1620.0411. I have attached all necessary insurance certificates.

Should you require any further information, please do not hesitate to contact me.

Respectfully yours,

Michelle Barbaro

Michelle Barbaro
Deputy Highway Superintendent

MB/jw

Enc

Cc: Ronald Ruffino, Town Supervisor
Thomas Fowler, Jr., Town Attorney
Diane Terranova, Town Clerk

